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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, January 22, 2008

LOCATION:

Council Chambers  
Scranton City Hall  
340 North Washington Avenue  
Scranton, Pennsylvania

CATHENE S. NARDOZZI- COURT REPORTER

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2 CITY OF SCRANTON COUNCIL:

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MR. ROBERT MCGOFF, PRESIDENT

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6 MS. JUDY GATELLI, VICE-PRESIDENT

7

MS. JANET E. EVANS

8

9 MS. SHERRY FANUCCI

10

MR. WILLIAM COURTRIGHT

11

12 MS. KAY GARVEY, CITY CLERK

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MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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15 MR. AMIL MINORA, SOLICITOR

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1 (Pledge of Allegiance recited and  
2 moment of reflection observed.)

3 MR. MCGOFF: Roll call.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mr. Courtright.

7 MR. COURTRIGHT: Here.

8 MR. COOLICAN: Ms. Fanucci.

9 MS. FANUCCI: Here.

10 MR. COOLICAN: Ms. Gatelli.

11 MS. GATELLI: Here.

12 MR. COOLICAN: Mr. McGoff.

13 MR. MCGOFF: Here. Dispense with the  
14 reading of the minutes.

15 MS. GARVEY: THIRD ORDER. 3-A.

16 CONTROLLER'S REPORT FOR THE MONTH ENDED  
17 DECEMBER 31, 2007.

18 MR. MCGOFF: Are there any comments?

19 If not, received and filed.

20 MS. GARVEY: 3-B. MINUTES OF THE

21 COMPOSITE PENSION BOARD MEETING HELD ON

22 DECEMBER 19, 2007.

23 MR. MCGOFF: Are there any comments?

24 If not, received and filed.

25 MS. GARVEY: That's it for third

1 order.

2 MR. MCGOFF: Before we go to  
3 citizens' participation, is there anyone who  
4 has any --

5 MS. EVANS: Just two quick  
6 announcements. First, in the 2300 block of  
7 North Washington Avenue as of about the last  
8 45 minutes a tractor trailer has taken a  
9 tree down in that block. I have heard it's  
10 been uprooted as well. There may be power  
11 lines involved, possibly Marywood University  
12 will be dismissed early, and I just would  
13 like to ask that everyone would avoid  
14 driving or walking in that area this evening  
15 until the proper measures have been taken.

16 Also, West Scranton Wrestling  
17 Invader-Mat boosters are sponsoring a night  
18 at the races at Saints Peter and Paul  
19 Russian Orthodox Church on Academy Street in  
20 West Scranton this Saturday, January 26th at  
21 7:00 p.m. All proceeds benefit West  
22 Scranton wrestlers and admission to the  
23 night at the races is \$10.00. Tickets can  
24 be purchased at the door and admission  
25 includes food, soda, beer and coffee and, of

1 course, one must be 21 to be admitted. Hope  
2 to see you there.

3 MR. MCGOFF: Anyone else? Robert  
4 Neveroski.

5 MR. NEVEROSKI: Ladies and  
6 gentlemen, Attorney Minora. As you recall  
7 awhile back, I was down with the Hill  
8 Neighborhood Association running a  
9 fundraiser. We sent over 500 letters to the  
10 business community and that and the response  
11 was -- I guess the city is having trouble,  
12 but nobody wants to donate, so we are in the  
13 same boat, people don't want to donate, and  
14 I'm surprised at the response we got from  
15 sending all five letters to the community  
16 but, anyway, that's it. The people at the  
17 Himalayan Association generously donated  
18 \$675.00. Farley, who always supported us,  
19 gave \$25.00. Janet and Dave Evans gave  
20 \$50.00 and Penn Security Bank gave \$250.00  
21 so at this time I would like to present the  
22 city council a check for \$1,000.00 made  
23 payable to the Scranton Police Force Canine  
24 Fund, if I may.

25 MR. MCGOFF: Thank you,

1 Mr. Neverosky.

2 MR. NEVEROSKY: With that said, thank  
3 you, ladies and gentlemen.

4 MS. EVANS: Thank you. We can always  
5 count on the Hill Neighborhood Association.

6 MR. MCGOFF: Yes. Thank you very  
7 much.

8 MR. NEVEROSKY: My pleasure.

9 MR. MCGOFF: The next speaker is  
10 Andrew Porter.

11 MR. PORTER: Happy New Year. Andrew  
12 Porter, citizen of Scranton. This past  
13 weekend Martin Luther King, the Martin  
14 Luther King celebration throughout the city  
15 of Scranton was very impressive, very good.  
16 I found absolutely nothing wrong with it.  
17 You find something wrong with things -- when  
18 you find -- when you look for bad things you  
19 find bad things, but Martin Luther King was  
20 a good man just like the fireman who passed  
21 away recently, a good man. We need to see  
22 black firemen put in our fires and savings  
23 people's lives, also. That's what Martin  
24 Luther King stood for.

25 Martin Luther King is the moral

7

1 conscience of America and I and you, as

2 citizens of Scranton, are the moral  
3 conscience of Scranton. And so what we need  
4 to do now is we need to work together, let  
5 me just back up for just a second and say  
6 that Martin Luther King, who is he and where  
7 did he come from? Actually, Martin Luther  
8 King is a descendant of slaves like myself.  
9 Can you believe at one point in time that  
10 the backbone of this country was actually  
11 slaves for over a 300-year period in this  
12 country. Coming out of slavery during the  
13 civil rights movement we had people like  
14 Martin Luther King who risked his life not  
15 just for people that looked like me, but for  
16 all of those. Now, this celebration this  
17 past weekend was a wonderful thing for the  
18 city to have had a response from or be a  
19 part of it. It's a great thing, but it's  
20 only one day. It's only one day. It's only  
21 two days, all right, a lot of people were  
22 there, there were some people there and a  
23 lot of dignitaries there, preachers, a few  
24 preachers, a few reverends and a few rabbis  
25 in a couple of days does not make for a good

8

1 year, does not make for a good year, that

2 was one or two days. We need to duplicate  
3 that.

4 Me as a business person, I come to  
5 you again and I say that I need assistance.  
6 I come with a plan because you say that we  
7 need a plan and my thing is that take the  
8 plan and take a look at it, and see if it  
9 has some viability to it and let's do  
10 something with it. Help me. This is what  
11 we need to do, we need to help each other.

12 Now, it's a political miracle that  
13 stands before you on the city council and  
14 Mr. McGoff and maybe a year or even less  
15 than a year how he can come from an  
16 appointment to -- and it has nothing to do  
17 with the mayor, it actually has nothing to  
18 do with the mayor because, see, the mayor  
19 did not elect Mr. McGoff, the people elected  
20 him, and what our father says is that we  
21 have to come together as a people. These  
22 good people up here in the city council  
23 lacking of a person that looks like myself,  
24 I mean, hey, at one point in time you didn't  
25 have women, now you got three up there, and

9

1 they are all friends and they are all happy  
2 and they are trying to do the right thing

3           and if they are not doing the right thing  
4           then we as citizens need to step in and make  
5           sure certain that they do the right thing  
6           and so people make mistakes, but we help  
7           each other and we try to help each other  
8           correct those mistakes, all right? We try  
9           to bring people into the fold not remove  
10          them from the fold and so I come to you with  
11          good news today that Scranton is the chosen  
12          city, forget the chosen people, Scranton is  
13          the chosen city, all right, and we have to  
14          work together as a people, all right? Our  
15          firemen, people like Martin Luther King,  
16          people who risked their lives each and every  
17          day who don't waiver back and forth, who  
18          every time that you see them they are always  
19          the same, their posture is the same. We  
20          need to posture ourselves as people. We  
21          need to start loving each other.

22                    One thing I can remember about  
23                    Martin Luther King and one of the things  
24                    that I remember him saying is that when he  
25                    went into those wards and seen those babies

10

1           in incubators and those innocent kids, they  
2           didn't know where they were white, black,

3 green, yellow, Chinese or whatever. They  
4 didn't know that. We taught them that. We  
5 thought them that. Programs were put in  
6 place to compensate for some of the things  
7 that were done to the people like my  
8 ancestors, people that look like me, grants,  
9 and so on and so forth, the complexion of  
10 those things have changed, but let's look at  
11 what it is that we have today that we can  
12 work with and we have each other. We are a  
13 great city if you are inclusive of all  
14 people. If you are not, you lose. You take  
15 the best qualified people, you take people  
16 that got ideas. You also take people that  
17 want to bring business into this city. I  
18 propose that the business that I bring to  
19 you would start with 8 to 10 jobs in opening  
20 day. These are the kind of things that we  
21 want. We need to nourish our children. We  
22 need to, Britney Spears, they are walking  
23 around in forms of young men and young woman  
24 and what do we do? We are going to laugh  
25 and poke fun at them? No, we are not going

11

1 to do that, we are going to love them. We  
2 are going to show them where they are wrong.  
3 We are going to bring them to the levels of

4 where they need to be, and this is what  
5 Martin wanted, and I think this is what we  
6 all want as a city, greatness in our city,  
7 not for me, for you, for God.

8 MR. MCGOFF: Thank you very much, Mr.  
9 Porter. Andy Sbaraglia.

10 MR. SBARAGLIA: Andy Sbaraglia,  
11 citizen of Scranton. Fellow Scrantonians,  
12 on your 6-B, "Providing for the acceptance  
13 and dedication of Jamestown Way Circle and  
14 Park Edge Lane. Are you proposing to spend  
15 \$1.00 to buy a million dollars worth of  
16 liability? This project I think was done in  
17 1994. It's an old project. Now, we are  
18 coming up where you don't even know if the  
19 sewer systems are separated up there. The  
20 drainage from the waste. Now, you are going  
21 to spend a buck and have us pay for God know  
22 how much money to rip up all of them streets  
23 which they are required to do now. This is  
24 isn't a new project, this is an old project  
25 and as an old project they must have been

12

1 taking care of the streets themselves  
2 because we would've already own them. Since  
3 we don't own them we have to look to why

4           they want us to own them now other than the  
5           fact that relieves them of a lot, a lot of  
6           responsibility like plowing, taking care of  
7           streets, but the sewer system is the worst  
8           because if they haven't already done it, we  
9           got to rip up every street up there and put  
10          in drainage and that's going to cost a lot  
11          of money and this is what they are giving us  
12          for a buck. To tell you the truth, it's not  
13          worth it. Their buck is one thing, but to  
14          us to spend a buck to require that's  
15          ridiculous. It's just something you have --  
16          you have to do an in-depth study of that  
17          project and why at this time they want to  
18          give it to us, sell it to us, well, actually  
19          it's a gift, one buck to pay for it isn't  
20          exactly a huge amount, but this project  
21          definitely should be looked into very well.

22                 I looked at some of the dates on that,  
23                 CECO think did it over there in 1994, some  
24                 of the dates on it, on that project. We are  
25                 talking about 208 today. They see a huge

13

1           expense coming, and I don't blame them, I  
2           would try to dump it as soon as I could,  
3           too, they should have dumped it a long time  
4           ago and not when we are ready to have -- to

5 pay to rip all of these streets out. This  
6 is not a very nice project and if you look  
7 at the legislation themselves you see we are  
8 getting nothing, all we are getting is  
9 liability. And to give a buck for  
10 \$1 million worth of liability definitely  
11 isn't worth it because that's all you are  
12 buying is liability. You are not buying  
13 anything really tangible. You got to  
14 maintain streets. You got to -- if the  
15 sewer system isn't divided we got to pay to  
16 divide it and this is what you are getting  
17 for your dollar, a lot of expense, so I'd  
18 wish look into it a little more before you  
19 pass and see how much liability you are  
20 actually getting with this dollar, how much  
21 are we actually buying? There is no way for  
22 me to tell you because I don't even know if  
23 the streets are up to par, if they are built  
24 to specifications because this project was  
25 done long ago and it's their own property.

14

1 They must have been maintaining it and if  
2 they were they probably don't even meet our  
3 codes.

4 Up there at Tripps Park we haven't

5           accepted that project for a lot of reasons,  
6           but there we are. We didn't accept it  
7           because we knew it was it would cost the  
8           city a lot of money to make them -- take  
9           that project up to code. This other project  
10          that just comes before you a new project,  
11          hey, we'll sell it to you for a buck. All  
12          you're buying is liability and that's the  
13          sad part about it, you don't even know what  
14          the fire system is up there like even if it  
15          was built to code. God only knows, because  
16          apparently it was a private development for  
17          a lot of years and now they want to make it  
18          sort of public or they want you to make it  
19          public and that's not quite right.

20                   I suggest that you look into it, ask  
21          the city engineer and the planning  
22          commission and everything that went with  
23          this to see exactly what was done at that  
24          time, I mean, for a buck and you got time.  
25          I mean, there is no reason why we have to

15

1           rush into this. If everything is up to par,  
2           fine. If it isn't up to par then it should  
3           be corrected before you take responsibility  
4           for it because that's the only way you can  
5           actually protect the taxpayers of Scranton

6 and, believe me, they need taxpayers, they  
7 need protection. Thank you.

8 MR. MCGOFF: Thank you,  
9 Mr. Sbaraglia. Ozzie Quinn.

10 MR. QUINN: Ozzie Quinn, Taxpayers'  
11 Association. Judy, do you have that list  
12 for me for the UDAG and the -- it's been  
13 three months?

14 MS. GATELLI: I called her today and  
15 she said that I should ask the president.

16 MR. QUINN: Ask who?

17 MS. GATELLI: Ask the president to  
18 request it.

19 MR. QUINN: The president to request  
20 it?

21 MS. GATELLI: The president of  
22 council.

23 MR. QUINN: Mr. McGoff, will you ask  
24 her?

25 MR. MCGOFF: Yes, I will.

16

1 MR. QUINN: Thank you. Tell her I'd  
2 appreciate it if you could get it this week,  
3 I don't want to continue on, okay? The  
4 relationship here that I want to talk about  
5 5-I, Mrs. Fanucci, you are the CDBG

6                   cochairperson, the chairperson; right?  
7                   These -- what we are doing here is we are  
8                   taking money from the CDBG program and going  
9                   way back, which I spoke about, where this  
10                  money is coming from and it was approved by  
11                  past councils, approved and never executed,  
12                  all right? What are these projects? We  
13                  mentioned project numbers. Project number  
14                  92-292, okay? Project so and so, \$50,000  
15                  from project 96204 and you know what it  
16                  amounts to \$60,712.34. What for?

17                         MS. EVANS: Mr. Quinn, I can give  
18                         this to you --

19                         MR. QUINN: Is it all right if I come  
20                         up there?

21                         MR. MCGOFF: Go ahead.

22                         MS. EVANS: -- and it explains  
23                         exactly what projects the money was taken  
24                         from.

25                         MR. QUINN: Thank you. See, this is

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1                         something we don't know about and we  
2                         wouldn't know about unless we had Channel 61  
3                         and, actually, this was taken from historic  
4                         preservation revolving loan from  
5                         computerized map of the building, central  
6                         city literally, Jackson Street playground,

7                   senior craftsmen shop and, you know what,  
8                   total \$60,700 for what? Tree planting.  
9                   Tree planting. Tree planting. We have  
10                  people who can just about make it today in  
11                  Scranton, half of our people -- half of our  
12                  people are making under \$31,000 and you want  
13                  to pass an ordinance that nobody knows about  
14                  except Mrs. Evans.

15                         MS. FANUCCI: Are you speaking to  
16                         me?

17                         MR. QUINN: No, she is out of order.

18                         MS. FANUCCI: That's why I asked.

19                         MR. QUINN: She is out of order.

20                         MR. MCGOFF: You did ask address  
21                         her.

22                         MS. FANUCCI: You did ask me the  
23                         question.

24                         MR. QUINN: But, she didn't answer.

25                         MS. FANUCCI: I didn't have time to

18

1                         answer. I was waiting to see who wanted me  
2                         to answer.

3                         MR. QUINN: Well, you can't answer  
4                         it, that's good --

5                         MR. MCGOFF: Go ahead, Mr. Quinn.

6                         MR. QUINN: But these projects,

7 nobody knows where they are coming from,  
8 Mrs. Evans knows where they are coming from,  
9 do you know where they are coming from? No.

10 MS. GATELLI: We all have the same  
11 information.

12 MS. FANUCCI: We have the same --

13 MR. QUINN: Well, how come it's not  
14 up here? How come we don't know? The only  
15 way we will know, you are asking us to pass  
16 an introduction of a resolution for \$60,000  
17 and you are asking us without the knowledge  
18 of where that money is coming from and it's  
19 going into tree planting.

20 MS. FANUCCI: We are not asking you  
21 to pass it.

22 MR. QUINN: That's bizarre. That's  
23 bizarre, and I take issue with that because  
24 if people who are burning their fuel like  
25 it's going out of the chimney, a lot of

19

1 people haven't even had their chimneys  
2 necessary cleaned because they can't afford  
3 it. A lot of people their houses are drafts  
4 because there is not enough money going in  
5 the low income housing, the people that own  
6 housing that is low income and you want to  
7 plant trees, what are they for? Tree

8 planting. Come on. What are they for,  
9 Mrs. Fanucci? Do you agree with this?

10 MR. MCGOFF: Mr. Quinn, what are you  
11 asking?

12 MR. QUINN: Why are you taking --  
13 this money here is part of the money that I  
14 ask for three months ago from Mrs. Gatelli,  
15 okay? Now, they are taking the money, some  
16 of the money and they are taking out of  
17 these projects and they are taking it for  
18 tree planting.

19 MR. MCGOFF: Correct.

20 MR. QUINN: Why don't they use the  
21 money to help the people in this city? I'm  
22 sure Mr. and Mrs. Smith over in South Side  
23 who is huddled up there trying to keep warm  
24 is worried about tree planting. My  
25 goodness, you people should be ashamed for

20

1 even passing it, for even bringing this up  
2 for introduction. We didn't even -- we  
3 don't even know unless we find this out  
4 tonight. That is shameful, I resent it, and  
5 the poor people, too, you got -- and all  
6 those introduction tonight, all of those  
7 resolutions, ordinances from A to H, you

8 know with taxes, taxes, taxes, taxes, you  
9 know, and then you wouldn't to go tree  
10 planting. Come on. Let's get our facts in  
11 order, our priorities.

12 We are living in a very, very bad  
13 situation here in the City of Scranton.  
14 People are freezing, people don't have  
15 enough money tougher health or for food.  
16 Let's get it together. As president you  
17 should take the ball on this, you said you  
18 were going to have knowledge of this and  
19 explain it to the people.

20 MR. MCGOFF: Thank you, Mr. Quinn.  
21 Mr. Bolus.

22 MR. BOLUS: Good evening, Council.  
23 Bob Bolus, Scranton. On the agenda, I'm  
24 looking at 5-D, 5-E, 5-F, you know, this is  
25 just taking the city apart here. You know,

21

1 we are putting more taxes on people we  
2 should be cutting them, cutting the millage  
3 here against the people, the businesses in  
4 this city. We have a refuse over here, we  
5 should actually be going after the  
6 landfills, the leachate line that comes down  
7 here, as a host community we should be  
8 charging per gallon alongside with what the

9 sewer authority charges to cut our costs  
10 here. We have a lot of other areas of  
11 revenue out there and nobody is bothering to  
12 loo, but it's harming the people. You know,  
13 the businesses are getting hammered here,  
14 you know, you are on net income, I mean,  
15 come on, there is enough going on here. The  
16 mayor, and the reason I came here today, is  
17 72 percent of the people voted for a  
18 recovery plan, 28 percent against. I'm glad  
19 I was part of the 28 percent. 100 percent  
20 of the people want Chris Doherty now if this  
21 plan does go through to put his money where  
22 his mouth is and that's in the City of  
23 Scranton, not into Nay Aug, not into his  
24 private little projects, not taking care of  
25 the University of Scranton, the KOZ's, the

22

1 nonprofits. If you look here we have a  
2 garbage fee. I've come here many times in  
3 the past questioning why we don't impose a  
4 fee unilaterally right across the city. It  
5 affects residents, business KOZ's and  
6 nonprofits, it takes some creativity to be  
7 done, but nobody in the city seems to want  
8 to do it, so we climb over the dollars to

9 get at the pennies. It's time now for this  
10 council to do something.

11 Tonight I would like to ask this  
12 council to put back the million five that  
13 you took out of the golf course fund plus  
14 interest, the remaining million five is to  
15 be put in a trust so it can't be touched  
16 again. Chris Doherty has criticized the  
17 unions, the fire department, the police  
18 department and everybody else saying the  
19 city is where it is because they have  
20 created the problem. To the contrary, they  
21 protect us here. The problem is Chris  
22 Doherty is administration, getting raises,  
23 doing the things that they do that's adverse  
24 to running a solid business. He is a  
25 businessman, his business makes money

23

1 because he knows where to put it, where to  
2 take it from. Here is taking from the  
3 seniors, the private sector people, the  
4 businesses that put interest in here and he  
5 is not looking at anyone else. You need a  
6 plan, you need to put a fee on everyone, you  
7 the University is taking over the City of  
8 Scranton, people don't like to hear it,  
9 well, look it, they can't put enough people

10 in there that's how many people are coming  
11 there. That's how much money they are  
12 making in their nonprofit, they are taking  
13 millions and they are taking the city over,  
14 and it's the responsibility of this council  
15 to start looking out for the people in the  
16 City of Scranton by imposing a fee  
17 unilaterally in this city, by taking the  
18 \$1.5 million plus interest and protecting it  
19 so it can't be squandered as it was last  
20 year, making the mayor, if this recovery  
21 plan passes, to take the million five back  
22 and put it back into the golf course fee, it  
23 belongs to the people in this city, it  
24 belonged in parks and recreation. We  
25 squandered it. It's time for us to be

24

1 accountable and put it back where it  
2 belongs. I championed those fights to  
3 protect this money and this council took a  
4 million five last year and give it to Chris  
5 Doherty while he could squander it. He  
6 didn't put it into the police department, he  
7 didn't put it into the fire department, he  
8 didn't put it anywhere else but into it's  
9 own private sandbox, and it's time that it

10 has to stop, and that's why I'm here today.  
11 I'm here a resident of this city, proud to  
12 be a resident of this city, not proud of  
13 what's happening to this city.

14 Our tax base is decreased and the  
15 only way you are successful is you increase  
16 your tax base, not erode it and chase people  
17 out of this city, chase businesses out of  
18 this city. We are the laughing stock of the  
19 country if you really look around what we  
20 we are doing. You can buy a house here for  
21 free practically. All other people are paid  
22 because they are decrees. We have devalued  
23 our area, that's why everybody is coming  
24 here buying because it's cheap. We got to  
25 get back where we are not cheap, we to got

25

1 get back to where you pay for what you get  
2 and we are not getting what we should be  
3 getting in this city. The leachate line,  
4 look at putting in windows along the top of  
5 the ridges surrounding this community and  
6 reduce our electric expense, we could do  
7 that. We have the resources, you have the  
8 power to do this. This is what Scranton  
9 needs. It needs to go in a different  
10 direction. We've got to go outside of the

11 box and that's not being done. This man has  
12 run this city into the ground, he has  
13 demoralized the police department, the fire  
14 department. We had an officer in the fire  
15 department that gave his life for this city  
16 doing his job and now he wants to chop  
17 everybody down in those departments. I  
18 would say to the mayor, Ray Hayes or anybody  
19 else, walk in their shoes every single day.  
20 Institute a fitness program. Work out with  
21 them everyday, you lead by example and the  
22 example we are getting right now is not the  
23 example we need to show these young kids  
24 today and the businesses that want to come  
25 here that we can be progressive, we can be

26

1 financially straight, we are distressed.  
2 Distressed means we are broke, means we  
3 cannot run our city, we cannot do what needs  
4 to be done. Was that one bell or two bells?

5 MR. MCGOFF: That was the final.

6 MR. BOLUS: Is there more then or is  
7 that up?

8 MR. MINORA: You are over your time.

9 MR. MCGOFF: That was it.

10 MR. BOLUS: Oh, I didn't know that.

11 I haven't been around the bell ringing for a  
12 long time. Thank you.

13 MR. MCGOFF: Thank you, Mr. Bolus.  
14 Mr. Stucker. Jim Stucker.

15 MR. STUCKER: How you doing? Jim  
16 Stucker, I live at Market Street. Okay, we  
17 have a little problem with the drains, they  
18 are all full of leaves, all over the City of  
19 Scranton. They are not picking up the  
20 leaves anywhere they are supposed to pick  
21 up, the city ain't picking them up at all.  
22 And up by Market Street there is a place  
23 there by the laundry mat they are parking  
24 their cars there, there is no sign there,  
25 they're parking, there is no signs there.

27

1 We need a sign of up there no parking.  
2 Right next to -- right across the street  
3 from Mrs. Rupp's up the top of the hill by  
4 the Dixon Laundry Mat. They got a lot of  
5 room in the parking lots and they are not  
6 parking in the parking lots when they have  
7 Mrs. Durr, they have -- there used to be a  
8 lot of people that go there and they park in  
9 the Taurus Club parking lot and there is no  
10 more room in there, they are parking up the  
11 street coming down the hill and it's hard

12 time coming down the hill or up the hill, so  
13 we've got to have something done there and  
14 put a sign or something there no parking.

15 And down by Murphy's Bar, between  
16 Murphy's Bar and the barber shop they still  
17 didn't cut that grass and weeds there. They  
18 still could do that, and they are going to  
19 have to do something about it because I used  
20 to do it and I'm not doing it no more.

21 We got problem with the buses.  
22 People can't -- the one girl fell off the  
23 bus the other day. I helped her up,  
24 couldn't get the bus to the curb because a  
25 car was in the way after nine to the Globe

28

1 Store.

2 And I need some work. I don't care  
3 what kind or I don't care what it is, but I  
4 need some work.

5 MR. MCGOFF: Well, we'll look in the  
6 parking problems for you.

7 MR. STUCKER: Yeah, because the  
8 laundry mat parking lot the city owns it.  
9 They still leave the leaves along that  
10 middle thing where the cars park, that  
11 middle divider, the leaves are on both sides

12 of it and there is a bunch of junk out  
13 there, can and bottles, I tried my best to  
14 pick them up and they're doing a -- the fire  
15 company again and back up there again with  
16 the fire company to pick up the garbage and  
17 cans because I'm off, I'm off paying the  
18 fines off now so I'm happy for that. And  
19 our garbage has been picked up a lot, so I'm  
20 happy for that.

21 MR. MCGOFF: All right, Jim, thank  
22 you very much.

23 MR. STUCKER: And, Tom, I want you to  
24 come over and pick me up at -- come over and  
25 pick me up and take me home, Tom. He told

29

1 me to leave it on --

2 MR. MCGOFF: Thank you, Jim.

3 MR. STUCKER: He told me to leave it  
4 on there.

5 MR. MCGOFF: Okay, thank you very  
6 much. Pat DeSarno.

7 MR. DESARNO: Thank you. Please bear  
8 with me voice tonight. Pat Desarno.  
9 Mr. Courtright and Mrs. Evans, and I can  
10 assure you that -- I can assure you both,  
11 I'm sorry, that it will take a lot more to  
12 disparage you in the eyes of the Scranton

13 Fire Department than some insensitive  
14 remarks prompted by some sort of sick,  
15 convoluted reasoning. We know who has  
16 always been there to assure that at the very  
17 least we are dealt with fairly. We know who  
18 genuinely bore hearts equally as heavy as  
19 ours just as we know those who insult us  
20 with false sympathies. I can also assure you  
21 that unlike some of the sycophants  
22 associated with this administration I take  
23 my cues from no one.

24 Mantras abound in this city, and I  
25 don't want to rehash things, but in light of

30

1 some very recent events we are sure to be  
2 bombarded by many of them and,  
3 unfortunately, they are allowed to be  
4 blurted out with no one demanded explanation  
5 or elaboration. One definition caught my  
6 eye. The writing that is generated and  
7 repeated in adoration of deity, how  
8 apropos. Mrs. Fanucci, you have invoked  
9 these beauties: Investing in the city, no  
10 recovery without contracts, and attracting  
11 people, qualified people with salary.

12 A comment, if I may. Raises were

13 given to people already working for the city  
14 so it appeared to me that those people had  
15 already been attracted by the previously  
16 lower salary, ergo, no raise should have  
17 been necessary. Maybe some day you can work  
18 in a 24-hour city somewhere down the line.

19 Now, I have saved my favorite for last,  
20 and this one was taken from the council  
21 minutes, "It's the number one reasons  
22 businesses look at -- how is your  
23 entertainment, how is your parks and  
24 recreation. First thing that they look at  
25 when they are coming it. That's it. First.

31

1 Number one thing. Whether you like it or  
2 not it's the first thing. Number one."

3 Well, I for one am tired of mantras,  
4 I want elaborations. I took it upon myself  
5 to do some research that I put in the  
6 following key words, "What businesses look  
7 for when locating or relocating? "

8 Number one, multi-channel merchant  
9 said, transportation costs, labor costs.  
10 Availability to meet staffing needs.  
11 Facilities' costs, state and local  
12 government sales.

13 Entrepreneur magazine: Number one,

14 access to markets and customers. Number  
15 two, labor pool related to type of business,  
16 and there is a little box on that website  
17 knowing what to ask it says, "Answering  
18 these 22 questions for each of the sights  
19 you are considering can help you decide on  
20 the best location for your business and  
21 neither state or local park system nor a  
22 number of entertaining venues were among any  
23 of them.

24 Let's do business.com: Incentives,  
25 i.e, tax breaks. Cost and quality of local

32

1 work force.

2 Business Today: Incentives. They  
3 actually went as far as saying, "A good work  
4 force, transportation system and utilities  
5 alone just won't cut it."

6 Now, I -- pardon me. Additionally,  
7 I visited the Staubach Corporation website,  
8 you know, they are the realtors handling the  
9 giant political white elephant commonly  
10 known as the Southern Union building. Now,  
11 that's a property that should be considered  
12 a prime state of the art piece of realty.  
13 One would assume that no selling points,

14 large or small, should be overlooked or  
15 omitted. The property is easily found and  
16 it's on page two. One of those is titled  
17 demographics. I clicked on it and I found  
18 this, four pages that list population,  
19 population change, housing, income, retail  
20 sales volume, nothing about parks. And just  
21 to be thorough, just to be thorough, I  
22 clicked the features link and I found this,  
23 there is nine items, seven of which pertain  
24 to construction and building amenities. The  
25 remaining two features are KOEZ, it says,

33

1 KIZ, but maybe it means KOZ eligible  
2 facility. The secondary remaining is close  
3 to new Hilton motel, maybe it's a hotel, and  
4 Steamtown Mall. No mention of Nay Aug Park  
5 or even the Scranton Cultural Center. You  
6 know what, I just had an epiphany, I'm going  
7 to contact Miss Susan Ruch, she is the  
8 Staubach's point person for the project  
9 property and suggest that she add close to  
10 Nay Aug Park and the Scranton Cultural  
11 Center to the features. I'm sure that will  
12 jump start some interest and some offers  
13 will probably start rolling in.

14 Now, Mrs. Fanucci, I just cited five

15 sources that show that your parks rant is  
16 pretty much nothing more than parrot an  
17 dribble, and I challenge you to cite the  
18 source of your comments, and if you can't  
19 then I suggest that you refrain from  
20 uttering anymore catch phrases until you are  
21 provided with some back up by those who cue  
22 you. I'll give you a week. See you next  
23 Tuesday. Thank you.

24 MR. MCGOFF: Thank you, Mr. DeSarno.  
25 Mr. Spindler.

34

1 MR. SPINDLER: Good evening, Council,  
2 Les Spindler, city resident. Last week I  
3 brought in a Supreme Court decision about  
4 free speech and Mr. McGoff made a comment  
5 after I left that opinion was a different  
6 venue and different circumstances. Well,  
7 free speech is free speech, it doesn't  
8 matter what the venue. The constitution  
9 says so and the United States Supreme Court  
10 says so and --

11 MR. MINORA: That's incorrect.

12 MR. SPINDLER: -- in the Sunday -- he  
13 is out of order, this is my time, I didn't  
14 ask his opinion. In the December 16 Doherty

15 Newsletter there is three examples here of  
16 free speech by a Chris Kelly and one is a  
17 woman from west side that was yelling at her  
18 toilet, that case was thrown out. She was  
19 swearing at the toilet and she had every  
20 right to do so. Another case here a  
21 gentleman caught in traffic downtown in the  
22 traffic accident got out of his car because  
23 he couldn't move, he was swearing everybody  
24 around there and nothing was done to the  
25 gentleman. Another case here Michigan when

35

1 a man tipped over in his canoe and the man  
2 was arrested, the case went to appeal and  
3 the case was overturned, so there is three  
4 separate cases where people swearing out in  
5 public and it is allowed. Sure, there are  
6 restrictions of free speech. You can't go  
7 into a crowded theatre and yell fire, that  
8 could cause a panic. I don't remember  
9 anybody in here causing a panic ever. You  
10 can't make threats against anybody, but if  
11 somebody wants to come in here and make  
12 allegations against a council person they  
13 have right every right to do so. If those  
14 allegations are false they can be sued for  
15 slander, but as far as free speech we have

16 free speech at this podium and the first  
17 time I'm told here that I can't say  
18 something we'll see you in Federal Court.

19 Next thing, Mrs. Fanucci, a few months  
20 ago I said Poochie was closing. The  
21 following week you said, no, they're having  
22 shows and this and that, well, guess what?  
23 If you go by today there is a sign in the  
24 window, "Poochie is now closed."

25 So, once again I was right and you

36

1 were wrong. And another thing about  
2 companies moving into the city look at  
3 parks, Pat DeSarno stole some of my thunder  
4 on this, this is from Entrepreneur magazine,  
5 the top five reasons that businesses look at  
6 when moving in a city: Work force. Are  
7 there another qualified workers to do the  
8 job in the area? Number two, facilities.  
9 Are there any existing facilities suitable  
10 for use. Number three, tax considerations.  
11 How much will I be paying in taxes per year  
12 and can I get a break? Number four, land  
13 availability. If I have to build what is  
14 the cost and the availability? Number five,  
15 quality of life. Schools, recreation,

16 crime, parks might fall in another five.  
17 Number one, Mrs. Fanucci, you don't have a  
18 clue. Thank you.

19 MR. MCGOFF: Thank you, Mr. Spindler.

20 MR. MINORA: Just so we have it  
21 clear, none of the cases he cited have  
22 anything to do with a public meeting and  
23 forums such as this. The cases cited by  
24 Judge Mazzone and Judge Nealon cite all of  
25 the Supreme Court cases and state court

37

1 court cases that deal with public speaking  
2 at a public forum such as this as opposed to  
3 out in the open or park or courthouse steps  
4 where there is no city business to be done.  
5 So, just so we don't have anything  
6 completely wrong on the record about the  
7 First Amendment, I'd like to say that and if  
8 you need these cases I'll be glad to show  
9 them to you.

10 MR. MCGOFF: And those are the cases  
11 that we have been using as precedent and  
12 will continue to. Thank you. Mr. Newcomb.

13 MR. NEWCOMB: Good evening, Council.  
14 Happy New Year. I just have a two  
15 questions, and you can answer them if you  
16 want when I get done with my presentation or

17 if you don't have them this week you can let  
18 me know down the road, just a question, I'm  
19 definitely here about the recovery plan.  
20 When I read it in the paper this morning I  
21 know everybody on council has stated their  
22 opinion on the recovery plan which I  
23 appreciate it, everybody is entitled to  
24 their opinion, but I'm going to give you a  
25 little bit about mine. The first thing I

38

1 have is I wrote 7.2 million, it might have  
2 been 7.5 so if I wrote it down wrong I  
3 apologize, but this morning's paper said  
4 that the mayor said he was going to hold 7.2  
5 million dollars capped for the health care  
6 it said for all employees, city employees.  
7 I'd like it know just that mean just the  
8 union employees or does it mean all of the  
9 employees. I don't know what -- because  
10 that definitely makes a big difference in  
11 the money to go around, and what I'd like to  
12 know, if somebody can answer, how does it  
13 reflect me as a taxpayer, me, meaning the  
14 taxpayer in the City of Scranton and I'd  
15 like to know how does the quality of life  
16 issue by giving our police chief \$13,000

17 race and our fire chief a \$13,000 raise and  
18 our fire chief a raise, if we are supposed  
19 to be distressed and I'd just like to know  
20 to those three questions how does that  
21 benefit us as taxpayers for coming up with  
22 these raises.

23 And as far as the Recovery Plan  
24 goes, I'd state it from the go and I'll  
25 state it again, when it went in in 2002 I

39

1 definitely voted against the Recovery Plan  
2 and I know 72 percent I think it was in the  
3 paper was quoted that they did, but I don't  
4 really know how much big of an election turn  
5 out it was that day, but the only thing I  
6 would have to say now if the election was  
7 held tomorrow and you know what you know now  
8 would we really vote the same way when we  
9 seen all of these raises going to officials  
10 and I understand everybody is entitled to a  
11 decent raise but you can't tell me that this  
12 is a fair situation when the union hasn't  
13 got a raise in six years and people are  
14 getting a \$13,000 raise and there are some  
15 people out there working that aren't getting  
16 \$13,000 because they don't have to pay the  
17 \$52 I believe if it's under \$12,000 for the

18 tax so I think this is definitely unfair and  
19 if this does go in are we going to get a  
20 break on our taxes because the mayor is  
21 supposed to have all of this money.

22 I think this is just a balance.  
23 It's hard when you have to balance the  
24 budget on the back of the unions and not  
25 look at it all of the way around. The only

40

1 way I think this recovery plan would have  
2 been fair is if we start from the top and  
3 say we all have to take a piece of the pie  
4 here but, unfortunately, that doesn't  
5 happen. There is a -- I'm not going to say  
6 a name because out of respect I don't do  
7 that, I don't abuse people at the podium,  
8 but if you look at the salaries there is  
9 somebody that started working in this city I  
10 believe four years ago and they were in the  
11 \$30,000 salary price range and as of right  
12 now they are in the \$80,000 price range.  
13 So, boy, that's an awful big salary to jump  
14 and the unions out there have not got raises  
15 in six years, and the only thing I can say  
16 to the unions, and I'll tell you what, I  
17 just hope that you do, you know, fight for

18 your rights in Court or whatever, but I  
19 think what you have to do, maybe it's a  
20 little bit too late now, but I will look  
21 into this in the morning, I would definitely  
22 look into the same lawyer should never be  
23 representing all of the unions together  
24 because it's hard to put all of your eggs in  
25 one basket. The firemen and the policemen

41

1 do totally different jobs. I think the  
2 unions would be better served if there was  
3 one union for the fire -- I'm sorry, one  
4 lawyer fr the fire, one representative for  
5 the police because that way they will pursue  
6 it a little bit stronger, so I do hope that  
7 this works out with the recovery plan. I  
8 definitely think it unfair for the workers I  
9 know Mrs. Fanucci, Mr. McGoff and  
10 Mrs. Gatelli and Mr. Courtright and  
11 Mrs. Evans they stated, you know, what they  
12 believe about the recovery plan and  
13 everybody is entitled to their opinion, but  
14 I just hope for the citizens of the City of  
15 Scranton you have to ask yourselves are you  
16 better off now than you were in 2002? If  
17 the recovery plan goes in now are you going  
18 to get a tax break. You got a 25 percent

19 tax increase which, you know, we understand  
20 why, but are just -- an answer to those  
21 questions, does the money mean, like I said,  
22 that it goes for all employees or just the  
23 union, how does it reflect on us as a  
24 taxpayer and how is the raises to the police  
25 and fire chief at \$13,000 a piece benefit

42

1 our quality of life issues. You can answer  
2 them now if anybody has any or at the end I  
3 would appreciate it. Thank you.

4 MR. MCGOFF: Thank you, Mr. Newcomb.  
5 Sam Patilla.

6 MR. PATILLA: Sam Patilla, Scranton  
7 resident, home owner, taxpayer, businessman.  
8 Good evening, Mrs. Evans and Mr. Courtright.  
9 In reference to Item 5-I, Ozzie, if you put  
10 the money that was transferred for the tree  
11 planting in conjunction with the blight  
12 program that's now underway one would come  
13 to a determination that they could use the  
14 trees to burn in the barrels to keep them  
15 warm once their houses are taken away from  
16 them.

17 Okay, a Lackawanna County profile  
18 was handed to me and I would just like to go

19 over that for a bit in reference to the  
20 employment and wages by industry sector.  
21 Now, these figures come from the US Bureau  
22 of Census for 2005. The total county wages  
23 for Lackawanna County at that time was  
24 \$31,674.00. The total for the state itself  
25 \$39,653.000. That's a \$7,982.00 difference

43

1 between the state and the county and being  
2 in Scranton is in the condition, financial  
3 dire straights that it is we know Scranton  
4 is a lot lower.

5 Now, if you go to the figures on the  
6 population, okay, from the age of 0 to 14  
7 the county has 34,933 children in that age  
8 in 2005. From the ages of 15 to 19 that  
9 figure drops to 14,657. That's a big drop,  
10 you know, so what that basically tells us is  
11 that through elementary school through  
12 middle school our children are here, but  
13 once they get to high school and the point  
14 of graduation they are leaving and they are  
15 leaving mainly because, and that leads me  
16 right into the recovery plan, because there  
17 is nothing here for them. Okay?

18 Now, I have heard all over the radio  
19 and the other media, everybody's opinion

20 about the recovery plan, you know, millions  
21 of people are out there are giving Doherty  
22 credit and I don't think that's true because  
23 the foundation for that recovery plan was  
24 laid in 2002 by the city administration.  
25 The people that first put that forward are

44

1 the ones that actually laid the ground work.  
2 Now, when you put into consideration that  
3 under Chris Doherty, you know, there were  
4 new hires, raises, and the such, you know,  
5 blatant violations of that recovery plan you  
6 can't give him credit for where we are today  
7 because his blatant actions are the reason  
8 that the city has been in such dire  
9 straights for the length of time that we  
10 have been, you know, had he open and honest  
11 negotiations with the unions, the fire, the  
12 police and the clerical unions this could  
13 have been squashed way back when. You know,  
14 a lot of speakers come up to this podium and  
15 they speak the truth because they are not in  
16 it for financial gain or a self-promotion.  
17 You know, when we come up here and we tell  
18 you that the NCC operation was going to cost  
19 people their homes, you know, it did. When

20 we told you that we are in a recession, we  
21 are. You know, all over this great country  
22 municipalities are falling at the wayside.  
23 Now, if somebody wants to try to portray  
24 Scranton as on this great road to recovery  
25 when everything around us is crumbling, you

45

1 know, they are feeding you a box of rocks  
2 because it's just not true. You know, we  
3 are no better off than we were at this time  
4 last year and a lot of that has to do with  
5 mismanagement. Mismanagement on the part of  
6 city council and rubber stamping issues that  
7 were put before them and sent down by that  
8 mayor. Rubber stamping and the issues that  
9 they are siding with political interest  
10 outside of the citizens and the taxpayers  
11 within this city, you know, Mrs. Evans, you  
12 know it comes from me. It always will be.  
13 My first step to recovery of any plan, be it  
14 a public government or a business sector is  
15 cutbacks. No where in this nation has  
16 anybody stood forward and said, look, we  
17 have to cut government, we have to cut this.  
18 You want to get on the recovery you cut it  
19 back, you know, you don't give out raises.  
20 You know, and it's kind of strange to me

21           that the fire chief and chief of police get  
22           raises weeks before the recovery plan is  
23           announced. You know, it's just another  
24           ploy, it's just another attempt to pull the  
25           wool over the citizens eyes, you know.

46

1           Thank you for your time.

2                         MR. MCGOFF: Thank you, Mr. Patilla.  
3           Bill Jackowitz.

4                         MR. JACKOWITZ: Mr. President, city  
5           council members. I passed out some out some  
6           Lackawanna County profile status sheets to  
7           every council member and also the attorney  
8           and Kay. I find this to be very, very  
9           interesting especially since our economic  
10          development chairperson keeps telling us how  
11          great we are doing and how we are getting --  
12          the city is making, you know, citizens are  
13          making money, so on and so forth.  
14          Carbondale, Blakely, Dunmore and Scranton is  
15          the largest parts of Lackawanna County,  
16          Scranton being the county seat and being the  
17          largest city within Lackawanna County.  
18          Okay, our per capita personnel income for  
19          the county is \$31, 291.00, for the city is  
20          lower, but for the county is \$31,291.00.

21 For the State of Pennsylvania overall it's  
22 \$34,937.00, which is a \$3,646.00 less per  
23 capita personal income.

24 Median household income: \$34,438.00  
25 for the county, in Scranton less. For the

47

1 State of Pennsylvania, \$40,106.00. A  
2 \$5,668.00 less than what they are making in  
3 the rest of this state.

4 Median family income: \$44,949.00,  
5 in Scranton less. For Pennsylvania  
6 \$49,184.00. \$4,235.00 less than anybody  
7 else in the State of Pennsylvania average.

8 Major employe, pay attention to this  
9 one on the first page, people: School  
10 District of Scranton, Allied Services  
11 Foundation, Lackawanna County, Cinram  
12 Manufacturing, that's the only one that pays  
13 taxes. Community Medical Center, the Moses  
14 Taylor Hospital, University of Scranton,  
15 Mercy Hospital, Bank of America, they pay  
16 taxes and Marywood University.

17 And we go to the other side:  
18 Industrial sector. Educational services,  
19 health care and social assistance, public  
20 administration, manufacturing and health  
21 care and social assistance, health care and

22 social assistance, educational services,  
23 health care and social assistance, finance  
24 and insurance and education and services.  
25 That's what these people provide for us, and

48

1 that's the industrial side, people. Okay?

2 Now, the interesting part is:

3 Population, ages 0 to 14, 34,933.

4 Miraculously from ages 15 to 19, 14,667.

5 That's 20,276 citizens who have gone. Where  
6 have they gone and why have they gone? They  
7 have gone because if you turn the page to  
8 the second page that I provided each and  
9 every one of you with it will tell you why  
10 they are gone. Total: The NIC Industrial  
11 Sector, employment and wages by industry,  
12 total, all industries in the county, county  
13 wage \$31,674.00. State, \$39,653.00, again,  
14 \$7,932.00 less than anybody else in the  
15 state and the city is even worse.

16 Utilities, somebody working for a  
17 utilities company, county \$69,269.00. State  
18 \$86,922.00, a difference of \$17,653.00 and  
19 you want to know why people are leaving  
20 here, but yet we are told over and over and  
21 every week that we are doing good because we

22 got restaurants, we've got the Pooch parlor  
23 who is no longer in business. We talk about  
24 arts and entertainment. Arts, design,  
25 entertainment, sports and media occupations,

49

1 \$27,409 for the county. \$39,976.00 for the  
2 state. \$12,567.00 less, but yet our  
3 entertainment is going to bring new  
4 business into this city? Ridiculous,  
5 stupid, without a doubt, and now if you  
6 listen to the campaigns the Democrats and  
7 Republicans, Hillary Clinton, John McCain,  
8 guess what their slogan is, people, it's the  
9 economy, stupid, they are all saying, all  
10 over the news broadcast, but yet when I said  
11 it Mrs. Fanucci accused me of calling the  
12 citizens of Scranton stupid. So, maybe you  
13 need to contact Hillary Clinton's campaign,  
14 and John McCain's campaign and give them the  
15 same advice, they shouldn't be calling the  
16 people of the United States stupid because  
17 it's the economy, stupid.

18 MR. MCGOFF: David Dobson.

19 MR. DOBSON: Good evening, Council,  
20 Dave Dobson, resident of Scranton. Serious  
21 consideration and review is needed before  
22 altering or accepting projects for

23 adaptation and ordinance. These projects if  
24 not properly reviewed can levy undue expense  
25 on our residents as Andy Sbaraglia and Ozzie

50

1 has pointed out tonight. In a case of  
2 trees, we have a serious gypsy moth problem  
3 up at Nay Aug Park. Every year I see leaves  
4 eaten right in half from gypsy moths and to  
5 my knowledge there has never been an  
6 exterminator contacted. I have some  
7 experience with that line of work, my father  
8 was the manager in a large extermination  
9 branch in that industry and most surveys and  
10 estimates are done for free, so there is no  
11 need, all you could do is ask.

12 We have no money for Channel 61 even  
13 though they provided ten years of great  
14 service and, unfortunately, every now and  
15 then they have to cover something that's  
16 less than desirable to have on the air, but  
17 many people see who knows what they are  
18 taking about and who don't anyway.

19 With these trees, why can't we start  
20 contacting Vo-Tech schools and Boy Scouts  
21 groups and so forth and possibly they could  
22 be willing to volunteer to even do this,

23 even community service from people that  
24 could be forgiven for a petty crimes. We  
25 need to seriously consider our priorities

51

1 and we can weather the problems that are in  
2 this country, but it has to start from the  
3 bottom and we have to exercise care in our  
4 expenditures and thank you and have a good  
5 night.

6 MR. MCGOFF: Thank you very much,  
7 Mr. Dobson. Mr. Dobson was the last speaker  
8 on the list, so is there anyone else who  
9 wishes to speak please come to the podium.

10 MS. HUMPHREY: We shall overcome.

11 MR. MCGOFF: Please state your name  
12 for the record.

13 MS. HUMPHREY: Phyllis Bernadette  
14 Fatima Yasmine, also given the name Mary. I  
15 have been sent by I am who am, the God of  
16 Abraham, the God of Isaac and the God of  
17 Jacob to shed the light of peace and  
18 reconciliation to our town, our city and our  
19 country. I am very indebted to the gifts  
20 God has given to me and to my bishops and my  
21 and my priest and the City of Scranton.  
22 Even through the cross there is glory. I  
23 love my fire department, and I do love my

24 police department and my mission is to  
25 separate the sheep from the goat and to

52

1 expose many people over the next couple of  
2 weeks, which is going to be very hard and  
3 very difficult, but I can also tell them to  
4 just to reconcile, to forgive, go to  
5 confession and change their lives.

6 About a month ago, first I want to  
7 tell you it's really hard. When my children  
8 were young I had to flee with my children to  
9 Syracuse and Christmas Day I was at church  
10 and my uncle went upstairs and there was a  
11 fire, and when I came home I thought bombs  
12 were all over the place or something, all  
13 the windows and the curtains were flowing,  
14 and they saved my children's life. It was  
15 the first fire at Christmas time. Many a  
16 time the fire department came over to  
17 Valleyview, to Townhouse and about a month  
18 ago, I am a good cook, but I had -- I live  
19 on a very limited income and I had this bun  
20 and I said, "Oh, Dear, Lord," I sprinkled  
21 some water on it and put it in the microwave  
22 and all of the fumes were coming out and I  
23 said, "I know I'm a good work," and I'm

24 trying to salvage this and I guess this must  
25 be fast of the fatima, and I'm thinking I'm

53

1 trying to blow the smoke, put the air vent  
2 on, but it went off and my beautiful fire  
3 department came to my assistance. So, I  
4 felt in my heart the statute that was  
5 desecrated where miracles were occurring on  
6 that I would like to take and share it with  
7 them, I truly thought that it would be taken  
8 into the church. And I know they were in a  
9 tizzy, so I took the statue over and what  
10 they did is they removed the statue and put  
11 it on the ground which to me, which they  
12 wouldn't, they were stressed out, to me it  
13 was a desecration because it was blessed by  
14 the Bishops, I'm going to cry. So, anyway,  
15 I ran over and I got the pedestal and I put  
16 it on the blessed mother on there and I  
17 said, okay, and I got there and I snapped  
18 some pictures, I got to the church. So I  
19 get the pictures back and I want to tell  
20 everybody the miracle. Captain Robeson,  
21 there was a reflection from the statute onto  
22 the back where they put the things down,  
23 Captain Robeson's picture is all in blue, he  
24 is in heaven. The statute was honored at

25

the Federal Road Columbus Day, the FBI

54

1

allowed me to put it facing upwards the FBI

2

towards the church. When I got the pictures

3

the King of King was on there, but it also

4

represented King Sod and the Crown Prince.

5

Prior to that when Mr. Robeson went to

6

heaven, a couple of days before the blessed

7

mother asked me to turn the veil around.

8

The stickers of the FBI and the police and

9

the sheriff's department are on there and I

10

couldn't understand why so when I got the

11

pictures back all of this heavy duty stuff

12

was going on, pictures of priests and

13

everything, but it was to tell me in other

14

words another martyer and another saint will

15

reign in heaven.

16

So I have the documents and the

17

pictures and the first one I'm going to show

18

I collected flags, the United Nation's flag,

19

this is my mother, it's pro-life. There is

20

a lot of miracles in here, this is one,

21

support life, but this one is our fire

22

department. The Washington Fire Department

23

is on here because they took me to the

24

hospital and it's going to go to Washington,

1 MR. MCGOFF: Thank you very much.

2 Can we look at it later?

3 MS. HUMPHREY: Yeah, you can look  
4 at, yeah, and I thought maybe you can make  
5 posters and for the City of Scranton and we  
6 can sell them because even though they are  
7 knocking down Scranton this is kind of a  
8 like an earthquake.

9 MR. MCGOFF: Thank you very much.

10 Thank you very much.

11 MS. HUMPHREY: God bless you. Thank  
12 you for your apartment. Thank you to  
13 Captain Robeson.

14 MR. MCGOFF: Thank you.

15 MR. GERVASI: Good evening, City  
16 Council. Dave Gervasi, Scranton resident  
17 and never so proud to be a firefighter. I  
18 just wanted to come here tonight, president  
19 Dave Shriber was unavailable to come and we  
20 have been pretty busy the last week but we  
21 wanted to just come and try to say thank you  
22 to everyone. The sheer volume of cards and  
23 condolences and support for Captain  
24 Robeson's family was just truly overwhelming  
25 to everyone, his family and his coworkers.

1           After the tragic death of Captain Robeson on  
2           January 6 a lot of people came together and  
3           we want to apologize to the Fenstermacher  
4           family for not reaching out to them earlier,  
5           we attended the wake and we just want the  
6           Fenstermachers our heart goes out to them,  
7           it's not easy losing somebody in a fire.

8                         We are just going to try to thank as  
9           many people as we possibly could. We want  
10          to put our apologies in advance that if we  
11          do miss anyone in the next coming weeks when  
12          we do send out notes of thank you, we do  
13          apologize and we appreciate everything that  
14          was done.

15                        We would like to thank this council  
16          for attending the services. We would like  
17          to thank the city administration for  
18          cooperating with us and giving us the  
19          flexibility to work together in giving  
20          Captain Robeson the tribute he deserved. We  
21          would like to thank the great people of the  
22          City of Scranton and throughout the  
23          Northeast Pennsylvania for the overwhelming  
24          outpouring of support they showed to Jimmy's  
25          family. The citizens who stopped at

1 firehouses for those four days.

2 We would really like to thank the  
3 fire departments of Pittston, Dunmore,  
4 Wilkes-Barre, Dickson City, Kingston and Old  
5 Forge and our fine, fine Scranton police  
6 officers who all went above and beyond to  
7 help us, work for us, guard our city so that  
8 it allowed all of Captain Robeson's fellow  
9 coworkers to attend the services. And a  
10 very big sidenote, those were the fire  
11 departments actually came in and physically  
12 did something. There were hundreds of  
13 others who offered the same services,  
14 equipment, apparatus, manpower to do the  
15 same and it was -- that was truly  
16 overwhelming.

17 So, I don't want to, you know, give  
18 more credit that's due to others than  
19 others, but it was just overwhelming and I  
20 guess in closing I would just like to say  
21 thank you to everyone. In the next few  
22 weeks we are going to be sending out notices  
23 trying to recognize everyone who helped  
24 Jimmy's family and I guess on behalf of the  
25 friends, families and coworkers of James

1 Robeson thank you all very much, we are very  
2 grateful and it was very much appreciated.  
3 Thank you.

4 MR. MCGOFF: Thank you, Mr. Gervasi.

5 MS. KNIGHT: Good evening, Council.  
6 My name is Geraldine Knight. I was here  
7 last week to congratulate you all. Mr.  
8 Courtright, I sent you a letter, did you  
9 receive it?

10 MR. COURTRIGHT: Did you send it  
11 this week?

12 MS. KNIGHT: Yes, I did.

13 MR. COURTRIGHT: Yeah, you know what  
14 I had a little bit of a --

15 MS. KNIGHT: No?

16 MR. COURTRIGHT: -- problem, I  
17 haven't been here this week, I'm sure I'll  
18 see it.

19 MS. KNIGHT: Well, I was  
20 congratulating you, but then when I gave the  
21 letter here I heard that you were going to  
22 look into being a tax collector.

23 MR. COURTRIGHT: Yeah, I don't think  
24 that's working out too well.

25 MS. KNIGHT: Wonderful.

1 MR. COURTRIGHT: There are too many  
2 people against me.

3 MS. KNIGHT: I hope it doesn't  
4 because we need you hear on council.

5 MR. COURTRIGHT: Thank you.

6 MS. KNIGHT: And I am telling the  
7 other three and good well since Miss Sherry  
8 who was not here last week smiling, that  
9 favorite smile of yours.

10 MS. FANUCCI: Did you miss me?

11 MS. KNIGHT: Wonderful. You should  
12 be very proud of it, honey, because you  
13 should listen to these people. They are a  
14 hell of a lot older than you are and they  
15 got the brains and if you were brought up  
16 the right way you would take that smirk --

17 MS. FANUCCI: Are you my mother?

18 MS. KNIGHT: Yes, I am your mother,  
19 Honey. I'm 67 years old and you talk. If  
20 you were my kid you would be six-foot under  
21 because I'd smack the living daylights out  
22 of you.

23 MR. MCGOFF: Excuse me, that's  
24 inappropriate.

25 MS. KNIGHT: That's inappropriate.

1           Okay. But there is no words to describe you  
2           that I'm allowed to say according to the  
3           attorney over there, but I wish you would  
4           get wised up, kid, because you got a heck of  
5           a lot to learn and when you do I hope it  
6           hits you hard and right in the back of the  
7           head.

8                     MR. MCGOFF: Excuse me, it's really  
9           inappropriate.

10                    MS. KNIGHT: Well, you mean to tell  
11           me that I can't raise or suggest words? I'm  
12           not using foul words, am I? Can I get an  
13           answer from any one of you?

14                    MR. MCGOFF: I would say that it was  
15           somewhat threatening and --

16                    MS. KNIGHT: Threatening.

17                    MR. MCGOFF: AND it was inappropriate  
18           for council meeting, yes, thank you.

19                    MS. KNIGHT: Oh, okay. Thank you  
20           very much. Mr. Courtright, I'm very happy  
21           that you're staying.

22                    MR. COURTRIGHT: Thank you. I'll  
23           read your letter this week.

24                    MS. KNIGHT: Thank you.

25                    MR. COURTRIGHT: I just had a little

1 bit of a problem getting in there this week.

2 MR. MCGOFF: Thank you, Mrs. Knight.

3 MS. SCHUMACHER: Marie Schumacher,  
4 citizen and member of the Scranton/  
5 Lackawanna County Taxpayers' Association.  
6 The first thing I'd like to comment on  
7 tonight is 5-I. Again, it's obvious to all  
8 that the package of materials that you get  
9 that is only available by coming down here  
10 physically and reviewing them I'm sure again  
11 that document was prepared electronically  
12 and there is in my estimation no reason why  
13 this council cannot require everybody  
14 submitting in this case to the clerk's  
15 office for inclusion on the agenda that it  
16 be transmitted electronically and it be put  
17 on the computer so that we can all see it,  
18 not just the agenda, but we can also see, I  
19 mean, this is meaningless. It's clear as  
20 mud which projects and it would be nice.  
21 Not everybody is able to come down here.

22 I would next like to comment on 5-G.

23 I assume that is the property tax portion  
24 that's being set for next year, perhaps I'm  
25 wrong, but I would also like to comment, I

1           like the way the county presents their  
2           allocation of tax dollars. They show how  
3           much goes to debt service and how much goes  
4           to the operating budget and I think it would  
5           be very enlightening for all of our citizens  
6           and taxpayers to have the property tax split  
7           between the debt, what's going to debt  
8           allocation and debt service and how much is  
9           going to the operating budgets.

10                       Next, I'd like to comment on  
11           recovery. Again, recovery is measured by  
12           how much people want to live in any  
13           jurisdiction. Scranton is no exception. On  
14           Sunday afternoon I looked at the multiple  
15           listings, there are 633 homes, 18 percent of  
16           those homes in the City of Scranton are up  
17           for sale. That does not include those that  
18           are being sold by the owners. That tells me  
19           that there aren't a lot of people who really  
20           want to live in Scranton or we wouldn't have  
21           an 18 percent -- 18 percent of the homes on  
22           the market at any one time, so, we are very  
23           far from recovery.

24                       Next, I would like to comment on the  
25           advance from the Scranton Housing Authority.

1           That payment was for multiple years and the

2 last Scranton Housing Authority meeting I  
3 asked what the period of time was, it goes  
4 out 2015 so there will not be another  
5 payment for those Park Garden apartments  
6 until 2015. My further comment is that I  
7 think it's unwise to use all of that in one  
8 year. I think it should have been more  
9 properly put into an escrow account and  
10 parceled out by the year through 2014 as it  
11 was intended by the Housing Authority.

12 Next I would like to comment on the  
13 commercial cafeterias or eateries that are  
14 in the new building that the University of  
15 Scranton recently opened on Mulberry Street.  
16 I did notice in the newspaper that there are  
17 commercial eateries in there and I am  
18 assuming that they are paying taxes, but I  
19 can't help but wonder if I'm assuming  
20 correctly or if they are using the umbrella  
21 of the University of Scranton to avoid  
22 paying taxes.

23 And then my final comments tonight  
24 will deal with the money pit also known as  
25 Nay Aug Park. You know my feelings on the

1 capital budget, you know my feelings on park

2 parody. A good example is the treehouse  
3 which was supposedly made for the disabled,  
4 but every time I have been there with a  
5 disabled person you almost get run over by  
6 the abled people, particularly if it's on a  
7 weekend. Back on the 28th of July in 2005  
8 the mayor estimated that the cost at 120 to  
9 \$140,000. Then, on the 9th of February,  
10 2006, Mr. Scopelliti, who was then the  
11 Director of Parks and Recreation appeared  
12 here before a council meeting and he stated  
13 that the total cost would be about \$300,000.

14 As it turns out, the foundation,  
15 concrete and steelwork alone cost \$229,000.  
16 That does not include the lumber or the  
17 effort done by Forever Young Treehouse  
18 Company at a meeting on the 6th of March --  
19 or 2006 the representatives from Forever  
20 Young said their bill would be \$143,000, so  
21 we are close to \$372,000 for that treehouse  
22 and I can't help but wonder, and I will wrap  
23 this up, is for the disabled, I mean, it's  
24 nice and it's certainly located beautiful  
25 but when you come to really helping the

65

1 disabled at \$12.00 an hour, which I'm  
2 assuming about what the public works people

3 make, that would be 30,000 hours to get out  
4 and clean the street corners or the pavecuts  
5 so the disabled can get across the streets  
6 and not have to go through a pile of muck  
7 and snow, so I think if we really want to  
8 help the disabled something a little less  
9 glitzy and glim would certainly be much  
10 better for the disabled. Thank you very  
11 much.

12 MR. MCGOFF: Thank you, Mrs.  
13 Schumacher. Chris.

14 MR. SLEDZENSKI: All right, I wasn't  
15 going to step and then I figured out, I got  
16 to see my Judy tonight for a change, right,  
17 Jude?

18 MS. GATELLI: Do you know who was  
19 there today, Chrissy.

20 MR. SLEDZENSKI: Who? I heard.  
21 Ozzie was telling me. Right, Oz? I heard.  
22 Dave, I'm going to say I'm sorry about  
23 Captain Robeson down there. From all of us  
24 to him, Dave, he was a good man. Thank you.

25 MR. MCGOFF: Thank you very much,

66

1 countries.

2 MR. ANCHERANI: Good evening. Nelson

3 Ancherani, resident and taxpayer, city  
4 employee and financial secretary of the FOP,  
5 First Amendment Rights. Last week I brought  
6 up about how the unions are being treated  
7 differently. I believe the word is  
8 discriminated against by this  
9 administration, being treated differently  
10 and special favorites is discrimination. I  
11 have to add that if the union workers were  
12 treated the same as the special favorites  
13 there would be no arguments. This mayor  
14 when he mentions the recovery plan he still  
15 thinks he is going to put the city on steady  
16 financial ground by implementing the plan.  
17 The city is 400 million approximately in  
18 long-term debt for at least the next  
19 28 years and saving the city approximately  
20 two million a year by implementing the plan  
21 isn't going to get us out of the debt.

22 The \$35 million parking authority  
23 loan is going to cost us 59 million in  
24 interest. Getting back to how I feel the  
25 unions are being treated differently, the

67

1 three council persons, Ms. Gatelli, Ms.  
2 Fanucci, Mr. McGoff, voted for the mayor's  
3 budget that treats the unions differently.

4 We have been saying that the mayor violated  
5 this recovery plan from the beginning by  
6 giving raises to a special favorites. On  
7 page 64 of the revised and updated Act 47  
8 Recovery Plan for the City of Scranton,  
9 Chapter 2-B, labor relations, cost  
10 containment and related provisions, Section  
11 2, wages, reads: "For 2003, 2004, and 2005,  
12 the base hourly wages and salaries of all  
13 city employees shall not, shall not exceed  
14 existing 2002 rates."

15 Can't be any clearer than that. I  
16 would say that the \$15 million given in  
17 raises in the new hires to special favorites  
18 is a violation of the recovery plan and was  
19 a violation from day one.

20 This morning when I got up I went on  
21 line to the Scranton slime's website, I  
22 heard about the breaking news, road paved  
23 for recovery written by Stacy Brown. If  
24 they were giving prizes for fiction writing  
25 and fairy-tales Stacy Brown would win hands

68

1 down. I thought I was reading nursery  
2 rhymes, but then I realized I was reading  
3 fables and they were in the Scranton slimes.

4                   First of all, the city had their  
5                   opinion and probably gave it to someone and  
6                   we haven't even gotten ours from the judge.  
7                   The one I saw I believe was supplied to us  
8                   from someone other than the judge, it was  
9                   ineligible, could hardly read it. I have  
10                  yet to see an opinion from the judge that  
11                  says the city is allowed to implement their  
12                  plan. Is this more wishful thinking by the  
13                  city? Reading through Stacy's fable it says  
14                  the plan attempts to balance the city's  
15                  budget almost entirely through limiting  
16                  wages and cutting jobs and benefits for  
17                  union employees, that's true. The mayor has  
18                  been trying to break the unions and all the  
19                  time he has been BS'ing the residents,  
20                  borrowing and spending while putting on a  
21                  millionaire front and having a hobo's hind  
22                  end.

23                  Again, the mayor mentions the  
24                  72 percent of the voters who voted for the  
25                  row cover re plan. He never mentions that

69

1                  it was 72 percent of the voters who voted in  
2                  that election. Mary Paterson, city  
3                  solicitor, said, "The ruling is a welcome  
4                  affirmation that labor contracts must abide

5 the recovery plan."

6 I refer back to page 64, "Wages and  
7 salaries of all city employees shall not  
8 exceed existing 2002 rates."

9 The fiction fable says the city's  
10 budget is 88 million, it's 85 million. The  
11 fable says Mayor Connors also focused  
12 heavily union concessions, but he never  
13 seriously pursued the provisions during  
14 negotiations. Wrong. The police gave up 17  
15 positions while the firefighters gave up 50.  
16 I can go on dispelling this fiction, we only  
17 get five minutes.

18 I do wish to say that it's not over  
19 until that lady sings and I don't see her  
20 anywhere to be found. Thank you.

21 MR. MCGOFF: Thank you, Mr.  
22 Ancherani. Anyone else? If not then we go  
23 to Fifth Order, motions. Mrs. Evans.

24 MS. EVANS: Good evening. Please  
25 remember in your prayers a wonderful young

70

1 man, David Burke, and his dear family  
2 members who grieve his passing. He was a  
3 graduate of Scranton High School and one of  
4 Boscov's friendliest and most helpful

5 employees.

6 At our last council meeting,  
7 Mrs. Gatelli made a motion to seek other  
8 bids from the cable companies, however, we  
9 have learned that all cable franchise  
10 agreements are nonexclusive. It is not a  
11 competitive bidding process in which there  
12 is only one winner. Any cable company that  
13 wishes to operate in Scranton receives the  
14 same deal. In addition, Comcast has already  
15 notified Scranton of it's intent to continue  
16 it's operation and negotiate a new contract.

17 Further, the franchise fee which is  
18 paid to the city ranges from 0 to 5 percent  
19 of gross revenues. It is not a negotiated  
20 rate, rather the city sets the rate.  
21 Scranton collects 5 percent and Comcast  
22 passes that cost along to the consumer.

23 In addition, the Scranton Cable  
24 Commission has requested that the mayor  
25 allow the cable commission chairman to join

71

1 the mayor's appointees in reviewing RFP's or  
2 requests for proposals for the operator of  
3 Channel 61.

4 As a follow-up to last week's  
5 meeting, I have received no response from

6 Mr. Baker and the SHA chairman to questions  
7 regarding the \$900,000 advance from the  
8 Scranton Housing Authority to the City in  
9 2007, however, I do thank you, Mrs.  
10 Schumacher, for your report at the meeting  
11 that you attended that certainly does begin  
12 to explain the payment in lieu of taxes, it  
13 appears to be rather an anticipated or  
14 regularly expected annual contribution.

15 A letter to Mr. Brazil, please, DPW  
16 director, please paint crosswalks in front  
17 of elderly high-rises and city schools as  
18 necessary. Paint traffic lines on  
19 Lackawanna Avenue before the entrance to the  
20 Steamtown Mall and near the Lackawanna  
21 Avenue bridge.

22 And, Kay, over the following week  
23 could our office please locate the ordinance  
24 regarding sidewalk installation provided for  
25 by the City of Scranton and a letter to

72

1 Mr. Hayes and Mr. Brazil, please provide in  
2 writing the comprehensive plans and  
3 procedures for snow emergencies and snow  
4 removal for the City of Scranton on or  
5 before February 1, 2008, to city council.



7 \$4,446,659.00. So, I think it's very  
8 important to keep that in mind particularly  
9 as the city will propose additional  
10 borrowing by the month of June this year.  
11 Exactly what is necessary, what is fact,  
12 what is fiction. That's it.

13 MR. MCGOFF: I just wanted to --  
14 would you prefer that the letter to  
15 Mr. Seitzinger go from council or --

16 MS. EVANS: Well, actually, I was  
17 hoping that he could be called by phone  
18 because the letter could take too long -- it  
19 would possibly into the end of the week.

20 MR. MCGOFF: Would any -- well, maybe  
21 the same question only in a different  
22 format, would you prefer that phone call be  
23 on behalf of council --

24 MS. EVANS: Absolutely.

25 MR. MCGOFF: As opposed to

74

1 individually.

2 MS. EVANS: Absolutely.

3 MR. MCGOFF: Any objection? No?  
4 Kay, Mrs. Garvey, please do that on behalf  
5 of council.

6 MS. EVANS: Also, Mr. McGoff if then

7 Mr. Seitzinger could provide all of the  
8 council with a report on the situation at  
9 Daron Northeast.

10 MR. MCGOFF: I will try and  
11 personally contact him to the see if he can  
12 do that.

13 MS. EVANS: Thank you.

14 MR. MCGOFF: Mr. Courtright?

15 MR. COURTRIGHT: Kay, I have a  
16 couple of them and if it's all right with me  
17 if you send them all out by all of council,  
18 whatever council prefers, firstly, I believe  
19 Mr. Seitzinger is now the gentleman in  
20 charge of this building, if he could find  
21 out why we can't get a handle on this room  
22 here. It's freezing in here. I mean, every  
23 week there is a different ball game here and  
24 I believe the system is controlled by a  
25 computer and our IT department has control

75

1 over there, I don't know if they are not  
2 getting cooperation from the HVAC people or  
3 what it is, but I can't take much more of  
4 this cold weather.

5 All right, over the holiday season,  
6 you know, you run into a lot of people and a  
7 big thing everybody seems to be asking me

8 now is about, you know, where are our beat  
9 cops, so I thought I would just run down a  
10 little bit for the people that are asking  
11 where they are. Oh, going on three months  
12 now we are done away with just about all of  
13 the beat cops from the exceptions of one on  
14 the north end. We didn't have enough  
15 officers to man the patrols so they had to  
16 be taken from the beat and put in the  
17 patrols.

18 I think somebody dropped the ball  
19 when they came to giving the tests they  
20 didn't give the tests fast enough and when  
21 they did give the test nobody wanted to be a  
22 cop in Scranton so we got very few takers.  
23 Out of the takers that we got not too many  
24 passed and a lot of the ones that passed I  
25 don't believe that all of them their

76

1 background check worked out that well, so we  
2 don't have too many. They do plan on giving  
3 a test now, what they are going to do is you  
4 don't have to have any qualifications now to  
5 take the test, anybody I believe, you just  
6 have to be 19 years old and you could take  
7 the test and then they will send you to the

8 Act 120.

9 The problem that lies there is that  
10 there won't be a 120 class until March,  
11 sometime in March at least starting, that  
12 class will take approximately six months  
13 then they would need to get certified by  
14 MOPEC. Once they get certified then they  
15 need to be field trained by our people so I  
16 don't think you are going to see those  
17 people from this up and coming test on the  
18 street for about eight months, so that's  
19 where your beat people are for those of you  
20 have that have been asking me.

21 And, again, these letters want to go  
22 by all council that's fine by me. I would  
23 just ask Mr. Brazil if I he could check with  
24 PennDOT, I brought this up a while back and  
25 find out for me if PennDOT requires the

77

1 barricades that we put on our streets to  
2 have either flashers on them or at least  
3 reflectors because we did have an incident  
4 on Franklin Avenue where somebody ran into  
5 one, so if he can find out if it has  
6 something to do with PennDOT as a ruling on  
7 that.

8 And if you can just combine this one

9 if you wouldn't mind, behind the Moses  
10 Taylor Hospital I can't remember the name of  
11 that court back there, behind the main  
12 building, the main entrance on Quincy it's  
13 really like a battlefield, I had occasion to  
14 ride that the other night and when they are  
15 doing any patching if they might be able to  
16 take a look behind the main building of the  
17 Moses Taylor I would appreciate that.

18 And this you don't need to put in a  
19 letter, I'll tell them myself, John Pezo and  
20 Gerry Shock, and I can't recall who else is  
21 in the truck, but they took care of a  
22 problem on Main Avenue and I don't know it  
23 was the city's or not, but there was a hole  
24 so bad that I would watch every time  
25 somebody would hit it they would actually

78

1 pull their car over and come back and take a  
2 look and see what they hit and they took  
3 care of it and they rectified that problem,  
4 so I would like thank them for that.

5 Tripp Park, it might have been  
6 Mr. Sbaraglia who was taking about Tripp  
7 Park, maybe the new solicitor could help me  
8 out, I had asked in the past the developer

9 of Tripp Park had put up a bond, nobody  
10 could tell me how much that bond was and if,  
11 in fact, he received that bond back yet. I  
12 don't think it's any surprise that many of  
13 the people living in that Tripp Park  
14 development are not happy with what  
15 happened, what has been happening up there  
16 and what continues to go on so, so, I'm  
17 sorry, I don't know what the woman's name,  
18 is it Patterson, the new --

19 MS. EVANS: Yes.

20 MS. COURTRIGHT: If you can ask her  
21 and, again, if you want to sent it by all of  
22 council if that would carry more weight I'd  
23 be happy to put everybody's name on it, if  
24 she could find out for me what type of bond  
25 was posted and if he received his bond back

79

1 or not. I hope if he had a bond we didn't  
2 give it back to him.

3 MS. GATELLI: I don't think he even  
4 had one.

5 MR. COURTRIGHT: He didn't post a  
6 bond?

7 MS. GATELLI: I don't think so.

8 MR. COURTRIGHT: Oh, God.

9 MS. GATELLI: I know that Jeff was

10 working with Parker on that. It's a  
11 nightmare, the whole thing is.

12 MR. COURTRIGHT: Yeah. Well, if we  
13 can him if he didn't post a bond I don't  
14 think the people up there are going to be  
15 too happy.

16 Channel 61, whatever is going to  
17 happen with Channel 61 is going to happen  
18 but I would just hope that this  
19 administration would give the people of  
20 Scranton Today every consideration to run  
21 Channel 61. They have, as long as I have  
22 been here, they are done programming and  
23 they haven't been partial or biased to  
24 anyone. They just show the programming.  
25 They have no special interest and maybe some

80

1 of the things that they show on Channel 61  
2 some of the people didn't like, but they  
3 don't edit it, you get to see your  
4 government in action, not just here, but the  
5 zoning and planning, and others, without any  
6 editing, without any kind of alteration  
7 whatsoever and I think they have done it  
8 fairly and I would like to see them have an  
9 opportunity to continue on, so I really

10 think we should give them the utmost  
11 consideration, and I certainly will if this  
12 council, I don't know if we are going to  
13 have anything to say about it, but if we do  
14 I certainly will.

15 And one last thing, I was going to  
16 bring up last week but I wasn't here, when  
17 we had our reorganization meeting, I can't  
18 recall why Mrs. Evans asked Mrs. Fanucci  
19 when she "we", what she meant by "we" , and  
20 I don't know recall the reason, but I don't  
21 think the reason really matters, but she  
22 said what she meant by "we" was that "we" as  
23 council work as a body and "we" as council  
24 work as one. I have to disagree. Either  
25 that or they don't consider to be part of

81

1 council. I was never consulted on anything  
2 to do with the reorganization meeting except  
3 for when I ran into Mr. McGoff I asked him  
4 about the rule, nobody asked me who I would  
5 care to see be president, vice president,  
6 what priest we bring in, how the day would  
7 be run, nothing. So if "we" means all of  
8 council then evidently I am not included in  
9 being on council and --

10 MS. EVANS: Mr. Courtright, thank you

11 I didn't mean to interrupt.

12 MR. COURTRIGHT: That's all right.

13 MS. EVANS: With your permission, I  
14 would echo those statements in that I, too,  
15 was not informed of the choices for  
16 officers, the changes in council rules, the  
17 seating arrangement, etcetera, until I was  
18 notified late on Friday before the Monday  
19 reorganization meeting by our city clerk  
20 and, of course, by reading the information  
21 in the Scranton Times and it would appear  
22 that almost the election had been conducted  
23 in the newspaper and so like Mr. Courtright  
24 I, too, being feel that "we" includes only  
25 three individuals. It certainly does not

82

1 include myself as a councilwoman.

2 MR. COURTRIGHT: And one last thing,  
3 as I said to I believe Mrs. Knight there, I  
4 haven't been in here recently, and I'm  
5 usually here everyday so if I answered  
6 anybody's e-mails or your letters I will get  
7 to them as soon as possible and I apologize,  
8 and that's all I have. Thank you.

9 MR. MCGOFF: Mrs. Fanucci?

10 MS. FANUCCI: Yes, I have two things

11 that I need to discuss. I received a letter  
12 that I want to give to Mr. Courtright  
13 complaining about an incident that happened  
14 with the police, so I'm going to give that  
15 to you and see if you can handle that for  
16 me. She wanted it on the record so that's  
17 why I'm stating it now, so I will hand that  
18 to Mr. Courtright.

19 I wanted to talk to you about some  
20 of the things that were said today. Fact:  
21 I do believe that there are businesses that  
22 are moving into the city. I don't know  
23 maybe I do have a problem and I'm making  
24 them up as I'm walking downtown and seeing  
25 all of these new businesses, but I can also

83

1 say as an elected official I encourage and  
2 support anyone coming into this city and who  
3 wants to bring money here and jobs. Is it  
4 prudent to say that I don't believe that we  
5 need higher paying jobs, that is an absurd,  
6 ludicrous statement. I certainly know that  
7 we need to attract higher paying positions.  
8 I do not believe everyone in this city is  
9 where they need to be financially. That  
10 would be a such a gross misuse of what I  
11 have said up here.

12                   We should be grateful to the people  
13                   who are here and who are investing in us. I  
14                   certainly am. Whether or not you believe  
15                   that major businesses who are employing most  
16                   of the people in this city are not what you  
17                   believe should be here or not are important  
18                   to us because people need to work and we  
19                   need to have jobs. Whether or not you  
20                   believe that people need a certain type of  
21                   business is not a decision made by your  
22                   elected officials and it certainly is not a  
23                   decision that is made on the basis of how  
24                   you believe the city should be run. The  
25                   people who decide that is the consumer. The

84

1                   consumer decides if a business should be  
2                   here. They have the right to open. I can  
3                   tell you, yes, when Poochie was, sad to say,  
4                   yes, they are closing now, when I asked them  
5                   they said they were remaining open, they are  
6                   closing now, but I also can tell you a new  
7                   business is going right in there. That to  
8                   me shows something productive. Does it say  
9                   I am where we want to be? Absolutely not.  
10                  But I am not going to stop wanting our city  
11                  to did better. I'm not going to say and

12 decide what type of businesses. Everyone is  
13 welcome in our city and the more business  
14 here and the more diversity and the more  
15 types of venues we have is what's going to  
16 make our city strong, like it or not.

17 What I heard today was people get up  
18 and bash big business, bash small business,  
19 so what's left? Twenty-five years ago,  
20 30 years ago should we have not let anyone  
21 come here? Should it have been decisions  
22 people make deciding on what they feel is  
23 prudent? If you have a cat, don't open a  
24 dog place because I certainly don't even  
25 like them. Well, that's ridiculous. If you

85

1 are not a baseball fan don't build a  
2 stadium, but guess what, there are a lot of  
3 baseball fans. This is what it's about.  
4 This is what our city is all about, so I  
5 certainly do not think that getting up here  
6 and listening to what I listened today as  
7 been productive in any way.

8 I certainly had all of these facts  
9 and figures. Does it make feel good, it  
10 certainly doesn't. I'm very much aware of  
11 what our population is. I'm very much of  
12 what our median income is. It doesn't mean

13 I'm going to stop working and trying to  
14 provide and help people make better  
15 decisions and better lives for themselves,  
16 but certainly sitting here and bashing  
17 everyone is not going to make a better live  
18 for everyone in the city.

19 I also want to speak on the recovery  
20 plan which obviously is something that was  
21 spoken about today. Yes, I do believe in  
22 the recovery plan and I have always said I  
23 support the recovery plan. Do I believe we  
24 are better off than we were? No, and I'll  
25 say it again because we have not done

86

1 anything to implement recovery. I know that  
2 since, you know, it started in 2002 we are  
3 not in recovery. Have we given the raises  
4 to the police and fire? No. Was it because  
5 we didn't want to, was it because I didn't  
6 want to? No. You can't until the contracts  
7 are negotiated, that's what is all about.  
8 Does it make it happy? It certainly  
9 doesn't. Can't stand it. I think it's sad  
10 and I think we are at the point now where we  
11 need to sit down and negotiate. I said this  
12 from day one, this is not going to stop. We

13 are not going to change until it's battled  
14 out and, unfortunately, that's what happens.  
15 Lawyers and lawyers and lawyers and now  
16 after 2002 we are still having the same  
17 argument, just like KOZ's and KOEZ's, until  
18 they finally are finished we are going to  
19 hear they are free ride not the fact that  
20 they invested in us and believed in us and  
21 tried to do something for us as much as we  
22 had done for them. So do I agree with  
23 what's said, I mean, no. I'm not going to  
24 sit here and I'm certainly not going to take  
25 a lot of the, I want to say the sad, the sad

87

1 accusations from people, but I certainly  
2 will talk about what I do believe and what I  
3 believe is fact, so that is another thing I  
4 wanted to talk about.

5 I also wanted to talk about two  
6 things that we do have on the agenda, the  
7 trees was one. Oh, I do have to speak about  
8 this. That money that we have taken from  
9 the other projects cannot be used to give to  
10 people for heat. It cannot be used to give  
11 to people for low income housing. It's sad  
12 and it's unfortunate, but it can't be used  
13 for that, so either we don't use it, which

14 maybe is an option, I don't know if you  
15 would rather us not use funds that we have  
16 for reasons that we can use them for and  
17 invest in things that maybe you can benefit  
18 from then maybe we shouldn't use it as all  
19 or we have to use it for what it's  
20 structured for, that's these projects are  
21 about and I'm sorry, but we did -- I would  
22 love to see us pay people's heating bills  
23 and I would certainly love to see more low  
24 income housing, love to see it all over the  
25 city, but we certainly can't use this money

88

1 for it. So, yes, trees are a good thing. I  
2 don't find them as ridiculous as everyone  
3 that got up to speak did.

4 And, also, as far as another problem  
5 that we had I think we discussed that in  
6 caucus tonight some understanding about what  
7 monies could be used and different zoning,  
8 we were discussing it in caucus and I  
9 believe we came to a conclusions on that,  
10 also, but that is really all I have. And I  
11 know that for some reason I'm not supposed  
12 to speak what I believe even the fact that I  
13 have been elected to do so, I will continue

14 to say what I need to say and I will  
15 continue to work very hard at what I do and  
16 we don't have to agree, but, yes, respectful  
17 would be very nice, and that's all I have to  
18 say. Thank you very much.

19 MR. MCGOFF: Thank you. Mrs.  
20 Gatelli.

21 MS. GATELLI: I have nothing at this  
22 time, Mr. McGoff.

23 MR. MCGOFF: Just very quickly, I had  
24 an answer for Mr. Quinn, I see he has left.  
25 He asked last week who had prepared the

89

1 specifications for the bids on the  
2 channel -- on the operation of Channel 61.  
3 I am told that it was prepared by the city  
4 law department in conjunction with the  
5 contract from Comcast and who in the law  
6 department I am not sure, I believe it was  
7 my assumption that it was Attorney Farrell  
8 prior to his leaving and I hope that that  
9 answers Mr. Quinn's question. And that's  
10 all I have for this evening as well.

11 MS. GARVEY: FIFTH ORDER. 5-B. FOR  
12 INTRODUCTION - AN ORDINANCE - AMENDING FILE  
13 OF THE COUNCIL NO. 6, 1976 ENTITLED "AN  
14 ORDINANCE (AS AMENDED) IMPOSING A TAX FOR

15 GENERAL REVENUE PURPOSES ON THE TRANSFER OF  
16 REAL PROPERTY SITUATED WITHIN THE CITY OF  
17 SCRANTON; PRESCRIBING AND REGULATING THE  
18 METHOD OF EVIDENCING THE PAYMENT OF SUCH  
19 TAX; CONFERRING POWERS IMPOSING DUTIES UPON  
20 CERTAIN PERSONS, AND PROVIDING PENALTIES",  
21 BY IMPOSING THE RATE OF THE REALTY TRANSFER  
22 TAX AT 2.5% FOR THE CALENDAR YEAR 2008.

23 MR. MCGOFF: At this time I'll  
24 entertain a motion that Item 5-B be  
25 introduced into it's proper committee.

90

1 MR. COURTRIGHT: So moved.

2 MS. FANUCCI: Second.

3 MR. MCGOFF: On the question? All  
4 those in favor?

5 MS. EVANS: Aye.

6 MS. FANUCCI: Aye.

7 MS. GATELLI: Aye.

8 MR. COURTRIGHT: Aye.

9 MR. MCGOFF: Aye. Opposed? The  
10 ayes have it and so moved.

11 MS. GARVEY: 5-C. FOR INTRODUCTION -  
12 AN ORDINANCE - AMENDING FILE OF THE COUNCIL  
13 NO. 7, 1976, ENTITLED "AN ORDINANCE (AS  
14 AMENDED) IMPOSING A MERCANTILE LICENSE TAX

15 OF 2 MILLS FOR THE YEAR 1976 AND ANNUALLY  
16 THEREAFTER UPON PERSONS ENGAGING IN CERTAIN  
17 OCCUPATIONS AND BUSINESSES THEREIN;  
18 PROVIDING FOR IT'S LEVY AND COLLECTION AND  
19 FOR THE ISSUANCE OF MERCANTILE LICENSES;  
20 CONFERRING AND IMPOSING POWERS AND DUTIES ON  
21 THE TAX COLLECTOR OF THE CITY OF SCRANTON;  
22 AND IMPOSING PENALTIES", BY IMPOSING THE  
23 MERCANTILE LICENSE TAX AT 1 MILL FOR  
24 CALENDAR YEAR 2008.

25 MR. MCGOFF: At this time I'll

91

1 entertain a motion that Item 5-C be  
2 introduced into it's proper committee.

3 MR. COURTRIGHT: So moved.

4 MS. FANUCCI: Second.

5 MR. MCGOFF: On the question? All  
6 those in favor?

7 MS. EVANS: Aye.

8 MS. FANUCCI: Aye.

9 MS. GATELLI: Aye.

10 MR. COURTRIGHT: Aye.

11 MR. MCGOFF: Aye. Opposed? The  
12 ayes have it and so moved.

13 MS. GARVEY: 5-D. FOR INTRODUCTION -  
14 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.  
15 8, 1976, ENTITLED "AN ORDINANCE (AS AMENDED)

16 PROVIDING FOR THE GENERAL REVENUE BY  
17 IMPOSING A TAX AT THE RATE OF 2 MILL UPON  
18 THE PRIVILEGE OF OPERATING OR CONDUCTING  
19 BUSINESS IN THE CITY OF SCRANTON AS MEASURED  
20 BY THE GROSS RECEIPTS THEREFROM;  
21 REGISTRATION AND PAYMENT OF THE TAX AS  
22 CONDITION TO THE CONDUCTING OF SUCH  
23 BUSINESS; PROVIDING FOR THE LEVY AND  
24 COLLECTION OF SUCH TAX; PRESCRIBING SUCH  
25 REQUIREMENTS FOR RETURNS AND RECORDS;

92

1 CONFERRING POWERS AND DUTIES UPON THE TAX  
2 COLLECTOR; AND IMPOSING PENALTIES", BY  
3 IMPOSING THE BUSINESS PRIVILEGE TAX AT THE  
4 RATE OF 1 MILL FOR CALENDAR YEAR 2008.

5 MR. MCGOFF: At this time I'll  
6 entertain a motion that Item 5-C be  
7 introduced into it's proper committee.

8 MR. COURTRIGHT: So moved.

9 MS. FANUCCI: Second.

10 MR. MCGOFF: On the question? All  
11 those in favor?

12 MS. EVANS: Aye.

13 MS. FANUCCI: Aye.

14 MS. GATELLI: Aye.

15 MR. COURTRIGHT: Aye.

16 MR. MCGOFF: Aye. Opposed? The  
17 ayes have it and so moved.

18 MS. GARVEY: 5-E. FOR INTRODUCTION -  
19 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.  
20 11, 1976, ENTITLED "AN ORDINANCE (AS  
21 AMENDED) ENACTING, IMPOSING A TAX FOR  
22 GENERAL REVENUE PURPOSES IN THE AMOUNT OF 2%  
23 ON EARNED INCOME AND NET PROFITS ON PERSONS,  
24 INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO  
25 ARE RESIDENTS OF THE CITY OF SCRANTON, OR

93

1 NON-RESIDENTS OF THE CITY OF SCRANTON, FOR  
2 WORK DONE, SERVICES PERFORMED OR BUSINESS  
3 CONDUCTED WITHIN THE CITY OF SCRANTON,  
4 REQUIRING THE FILING OF RETURNS BY TAX  
5 PAYERS SUBJECT TO THE TAX; REQUIRING  
6 EMPLOYERS TO COLLECT THE TAX AT SOURCE;  
7 PROVIDING FOR THE ADMINISTRATION, COLLECTION  
8 AND ENFORCEMENT OF THESE SAID TAX; AND  
9 IMPOSING PENALTIES FOR THE VIOLATIONS", BY  
10 IMPOSING THE WAGE TAX AT 2.4% ON EARNED  
11 INCOME FOR THE YEAR 2008 FOR RESIDENTS.

12 MR. MCGOFF: At this time I'll  
13 entertain a motion that Item 5-E be  
14 introduced into it's proper committee.

15 MR. COURTRIGHT: So moved.

16 MS. FANUCCI: Second.

17 MR. MCGOFF: On the question? All  
18 those in favor?

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MS. GATELLI: Aye.

22 MR. COURTRIGHT: Aye.

23 MR. MCGOFF: Aye. Opposed? The  
24 ayes have it and so moved.

25 MS. GARVEY: 5-F. FOR INTRODUCTION -

94

1 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.  
2 17, 1994 ENTITLED "AN ORDINANCE (AS AMENDED)  
3 AUTHORIZING THE GOVERNING BODY OF THE CITY  
4 OF SCRANTON TO ENACT A "WASTE DISPOSAL AND  
5 COLLECTION FEE" FOR THE PURPOSE OF RAISING  
6 REVENUE TO COVER THE WASTE DISPOSAL AND  
7 COLLECTION COSTS INCURRED BY THE CITY OF  
8 SCRANTON FOR THE DISPOSAL OF REFUSE", BY  
9 IMPOSING A WASTE DISPOSAL AND COLLECTION FEE  
10 OF \$178.00 FOR CALENDAR YEAR 2008.

11 MR. MCGOFF: At this time I'll  
12 entertain a motion that Item 5-F be  
13 introduced into it's proper committee.

14 MR. COURTRIGHT: So moved.

15 MS. FANUCCI: Second.

16 MR. MCGOFF: On the question? All

17 those in favor?

18 MS. FANUCCI: Aye.

19 MS. GATELLI: Aye.

20 MR. COURTRIGHT: Aye.

21 MR. MCGOFF: Aye. Opposed?

22 MS. EVANS: No. The ayes have it and  
23 so moved.

24 MS. GARVEY: 5-G. FOR INTRODUCTION -  
25 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.

95

1 100, 1976 ENTITLED "AN ORDINANCE (AS  
2 AMENDED) LEVYING GENERAL AND SPECIAL TAXES  
3 FOR THE FISCAL YEAR 1977", BY SETTING THE  
4 MILLAGE FOR THE YEAR 2008.

5 MR. MCGOFF: At this time I'll  
6 entertain a motion that Item 5-G be  
7 introduced into it's proper committee.

8 MR. COURTRIGHT: So moved.

9 MS. FANUCCI: Second.

10 MR. MCGOFF: On the question? All  
11 those in favor?

12 MS. FANUCCI: Aye.

13 MS. GATELLI: Aye.

14 MR. MCGOFF: Aye. Opposed?

15 MS. EVANS: No.

16 MR. COURTRIGHT: No.

17 MR. MCGOFF: The ayes have it and so

18 moved.

19 MS. GARVEY: 5-H. FOR INTRODUCTION -  
20 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.  
21 74, 1993, (AS AMENDED), ENTITLED "THE ZONING  
22 ORDINANCE FOR THE CITY OF SCRANTON", BY  
23 CHANGING THE MAP IN THE VICINITY OF THE  
24 SCRANTON HIGH SCHOOL AND ITS SURROUNDING  
25 AREA, AS MORE PARTICULARLY DESCRIBED IN

96

1 EXHIBIT "A" ATTACHED HERETO FROM I-L (LIGHT  
2 INDUSTRIAL) TO INS-G (GENERAL INSTITUTIONAL)  
3 AND C-G (GENERAL COMMERCIAL).

4 MR. MCGOFF: At this time I'll  
5 entertain a motion that Item 5-H be  
6 introduced into it's into proper committee.

7 MR. COURTRIGHT: So moved.

8 MS. FANUCCI: Second.

9 MR. MCGOFF: On the question?

10 MS. EVANS: I had raised concerns  
11 last week regarding this particular piece of  
12 legislation. I did receive a response from  
13 Tom King, city planner, regarding my  
14 questions, and to sum up that response let  
15 me say that he indicates that the area is  
16 now, as we know, light industrial and is  
17 being proposed to change to general

18 commercial, both zones allow for fast food  
19 restaurants, for gas stations, if the zone  
20 remains as is they are a permitted use. If  
21 the zone changes or approved they would have  
22 to go before the zoning board and planning  
23 commission for a special exception by  
24 proving all of section numbers A through G  
25 which is enclosed with the letter of

97

1 response that we each received and so it  
2 does appear that by enacting this change to  
3 the zoning map we may at least have the  
4 possibility of preventing such businesses  
5 from locating directly next to the soccer  
6 fields of Scranton High School.

7 MR. MCGOFF: Anyone else? All those  
8 in favor signify by saying aye.

9 MS. EVANS: Aye.

10 MS. FANUCCI: Aye.

11 MS. GATELLI: Aye.

12 MR. COURTRIGHT: Aye.

13 MR. MCGOFF: Aye. Opposed? The  
14 ayes have it and so moved.

15 MS. GARVEY: 5-I. FOR INTRODUCTION -  
16 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.  
17 49, 2006, ENTITLED, "AN ORDINANCE  
18 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

19 OFFICIALS OF THE CITY OF SCRANTON TO TAKE  
20 ALL NECESSARY ACTIONS TO IMPLEMENT THE  
21 CONSOLIDATED SUBMISSION FOR COMMUNITY  
22 PLANNING AND DEVELOPMENT PROGRAMS (AS  
23 AMENDED) TO BE FUNDED UNDER THE COMMUNITY  
24 DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME  
25 INVESTMENT PARTNERSHIP (HOME) PROGRAM AND

98

1 EMERGENCY SHELTER GRANT (ESG) PROGRAM", BY  
2 TRANSFERRING \$50,000.00 FROM PROJECT NO.  
3 96-204 AND \$9,493.80 FROM PROJECT NO. 99-212  
4 AND \$88.75 FROM PROJECT NO. 03-005.9 AND  
5 \$400.00 FROM PROJECT NO. 05-152 AND \$680.59  
6 FROM PROJECT NO. 06-182 AND \$49.20 FROM  
7 PROJECT NO. 06-05.12 FOR A TOTAL AMOUNT OF  
8 \$60,712.34 TO PROJECT NO. 07-18 TREE  
9 PLANTING PROJECT.

10 MR. MCGOFF: At this time I'll  
11 entertain a motion that Item 5-I be  
12 introduced into it's proper committee.

13 MR. COURTRIGHT: So moved.

14 MS. FANUCCI: Second.

15 MR. MCGOFF: On the question?

16 MS. EVANS: Mr. McGoff, I do  
17 understand from the information I received  
18 from OECD that the monies must be used or

19 they will be lost, but I'm wondering if we  
20 might inquire before the final vote what  
21 other projects would be eligible. I do  
22 believe that the tree planting project is  
23 certainly worthy, but as many constituents  
24 indicated there may be other projects that  
25 may be of greater priority for which the

99

1 money could be used. I guess my bottom line  
2 is I would doubt that anywhere in the HUD  
3 requirements of this state that such unused  
4 monies must be channeled into a tree  
5 planting project in order to be utilized.  
6 So if that would be agreeable to council?

7 MR. MCGOFF: I'll inquire to find out  
8 if there were any or projects that could for  
9 which this could be been used.

10 MS. EVANS: Thank you.

11 MR. MCGOFF: Anyone else on the  
12 question? All those in favor signify by  
13 saying aye?

14 MS. EVANS: Aye.

15 MS. FANUCCI: Aye.

16 MS. GATELLI: Aye.

17 MR. COURTRIGHT: Aye.

18 MR. MCGOFF: Aye. Opposed? The  
19 ayes have it and so moved.

20 MS. GARVEY: Just one moment before  
21 we go any further, I would like to go back  
22 to 5-H and make a motion that we have a  
23 public hearing and have Kay put the proper  
24 advertisement into the newspaper.

25 MS. EVANS: Second.

100

1 MR. MCGOFF: On the question? All  
2 in favor?

3 MS. EVANS: Aye.

4 MS. FANUCCI: Aye.

5 MS. GATELLI: Aye.

6 MR. COURTRIGHT: Aye.

7 MR. MCGOFF: Aye. Opposed? The  
8 ayes have it and so moved.

9 MS. GARVEY: 5-J. FOR INTRODUCTION -  
10 A RESOLUTION - AUTHORIZING THE MAYOR AND  
11 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE  
12 AND ENTER INTO A CONTRACT FOR PROFESSIONAL  
13 SERVICES WITH THE LAW FIRM OF CARL J. GRECO,  
14 P.C., FOR LEGAL SERVICES INCLUDING BUT NOT  
15 LIMITED TO GENERAL COUNSEL TO THE OFFICE OF  
16 ECONOMIC AN COMMUNITY DEVELOPMENT ("OECD"),  
17 URBAN RENEWAL PROCESS AND PROCE3DURE,  
18 EMINENT DOMAIN AND RELATED LITIGATION,  
19 DISPOSITION OF SURPLUS URBAN RENEWAL LANDS,

20 TITLE SEARCHES AND DEED PREPARATION.

21 MR. MCGOFF: At this time I'll  
22 entertain a motion that Item 5-J be  
23 introduced into it's proper committee.

24 MR. COURTRIGHT: So moved.

25 MS. FANUCCI: Second.

101

1 MR. MCGOFF: On the question? All  
2 those in favor?

3 MS. EVANS: Aye.

4 MS. FANUCCI: Aye.

5 MS. GATELLI: Aye.

6 MR. COURTRIGHT: Aye.

7 MR. MCGOFF: Aye. Opposed? The  
8 ayes have it and so moved.

9 MS. GARVEY: 5-K FOR INTRODUCTION - A  
10 RESOLUTION - AUTHORIZING THE ZONING HEARING  
11 BOARD OF THE CITY OF SCRANTON TO EXTEND THE  
12 CONTRACT FOR PROFESSIONAL SERVICES WITH  
13 DANIEL L. PENETAR, JR., ESQUIRE TO ACT AS  
14 IT'S SOLICITOR FROM JULY 1, 2007 THROUGH  
15 JULY 1, 2008.

16 MR. MCGOFF: At this time I'll  
17 entertain a motion that 5-K be introduced  
18 into it's proper committee.

19 MR. COURTRIGHT: So moved.

20 MS. FANUCCI: Second.

21 MR. MCGOFF: On the question? All  
22 in favor.

23 MS. EVANS: Aye.

24 MS. FANUCCI: Aye.

25 MS. GATELLI: Aye.

102

1 MR. COURTRIGHT: Aye.

2 MR. MCGOFF: Aye. Opposed? The  
3 ayes have it and so moved.

4 MS. GARVEY: 5-L FOR INTRODUCTION - A  
5 RESOLUTION - REAPPOINTMENT OF JOSEPH  
6 DEANTONA, 1331 CORNELL STREET, SCRANTON,  
7 PENNSYLVANIA, 18504, AS A MEMBER OF THE  
8 SCRANTON LACKAWANNA HEALTH & WELFARE  
9 AUTHORITY. MR. DEANTONA'S TERM EXPIRED ON  
10 DECEMBER 31, 2007 AND HIS NEW TERM WILL  
11 EXPIRE ON DECEMBER 31, 2012.

12 MR. MCGOFF: At this time I'll  
13 entertain a motion that Item 5-L be  
14 introduced into it's proper committee.

15 MR. COURTRIGHT: So moved.

16 MS. FANUCCI: Second.

17 MR. MCGOFF: On the question? All  
18 those in favor?

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MS. GATELLI: Aye.

22 MR. COURTRIGHT: Aye.

23 MR. MCGOFF: Aye. Opposed? The  
24 ayes have it and so moved.

25 MS. GARVEY: SIXTH ORDER. 6-A. 6-A.

103

1 READING BY TITLE - FILE OF COUNCIL NO. 1,  
2 2008 - AN ORDINANCE - VACATING ANY AND ALL  
3 RIGHT, TITLE AND INTEREST OF THE CITY OF  
4 SCRANTON IN THE RIGHT-OF-WAY KNOWN AS  
5 SMALLACOMBE DRIVE AS MORE PARTICULARLY  
6 DESCRIBED ON THE MAP ATTACHED HERETO.

7 MR. MCGOFF: You have heard read by  
8 title of Item 6-A, what is your pleasure?

9 MR. COURTRIGHT: I move that Item 6-A  
10 pass reading by title.

11 MS. FANUCCI: Second.

12 MR. MCGOFF: On the question? I  
13 would just like to say I think Mr. Sbaraglia  
14 brought up some interesting questions. I  
15 certainly will make an attempt to look into  
16 some of those things prior to next meeting  
17 and -- oh, I'm sorry. Sorry, Mr. Sbaraglia,  
18 I got the wrong one.

19 MR. SBARAGLIA: No, you are right in  
20 the direction.

21 MR. MCGOFF: Anyone else? All those

22 in favor?

23 MS. EVANS: Aye.

24 MS. FANUCCI: Aye.

25 MS. GATELLI: Aye.

104

1 MR. COURTRIGHT: Aye.

2 MR. MCGOFF: Aye. Opposed? The  
3 ayes have it and so moved.

4 MS. GARVEY: Just for a point of  
5 information, the public hearing for this  
6 legislation has been scheduled for  
7 February 19.

8 MS. EVANS: And if I might add in the  
9 back up, Mr. Sbaraglia, it does state that  
10 the roadway and improvements were  
11 constructed to the City of Scranton's  
12 specifications and the city engineer has  
13 inspected and found the roadways and  
14 improvements to meet his satisfaction. Now,  
15 my question would be, however, who is the  
16 city engineer that this refers to?

17 MS. GATELLI: Are we still on  
18 Smallcombe or on the next one?

19 MR. MCGOFF: Are we on 6-B?

20 MS. GARVEY: 6-A.

21 MS. EVANS: This is prior to 6-b.

22 MS. GATELLI: Smallcombe.

23 MR. COURTRIGHT: We didn't vote on  
24 6-A yet, right?

25 MS. GATELLI: Yeah, we did.

105

1 MR. COURTRIGHT: We are on this.

2 MR. MCGOFF: Are we on this one?

3 MS. GATELLI: Are you talking about  
4 6-A?

5 MR. COURTRIGHT: 6-B.

6 MS. EVANS: 6-A.

7 MS. GATELLI: 6-A, I'm sure that  
8 would have been Parker.

9 MS. EVANS: He is still in our  
10 employ?

11 MS. GATELLI: No, but I'm sure he was  
12 when this was vacated. You can check it,  
13 but, we did pass it, so --

14 MR. MCGOFF: I'll look into it, I'll  
15 see.

16 MS. EVANS: Thank you.

17 MR. MCGOFF: I'm sorry, Mrs. Garvey.

18 MS. GARVEY: 6-B. READING BY TITLE -  
19 FILE OF COUNCIL NO. 2, 2008 - AN ORDINANCE -  
20 PROVIDING FOR THE ACCEPTANCE AND DEDICATION  
21 OF JAMESTOWN WAY CIRCLE AND PARK EDGE LANE;  
22 AS WELL AS ALL THE STORM DRAINAGE SYSTEM

23 UNDERLYING SAID STREETS AND RIGHTS-OF-WAY;  
24 AL OF THE AFOREMENTIONED IMPROVEMENTS BEING  
25 LOCATED IN THE KEYSER TERRACE SUBDIVISION IN

106

1 THE CITY OF SCRANTON, PENNSYLVANIA; ASLO  
2 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
3 CITY OFFICIALS TO ACCEPT FOR THE SUM OF ONE  
4 DOLLAR (\$1.00) AND TO RECORD IN THE OFFICIAL  
5 RECORDS AT THE OFFICE OF THE RECORDER OF  
6 DEEDS FOR LACKAWANNA COUNTY A DEED FOR THE  
7 AFORESAID PUBLIC STREETS AND IMPROVEMENTS.

8 MR. MCGOFF: You have heard reading  
9 by title of Item 6-B, what is your pleasure?

10 MR. COURTRIGHT: I move that Item 6-B  
11 pass reading by title.

12 MS. FANUCCI: Second.

13 MR. MCGOFF: On the question?

14 MS. EVANS: Yes. Those remarks  
15 pertained to 6-B rather than 6-A.

16 MR. MCGOFF: Yes. I got ahead of  
17 myself, but I will try and find out.

18 MS. EVANS: Thank you.

19 MR. MCGOFF: Anyone else? All those  
20 in favor signify by saying aye.

21 MS. EVANS: Aye.

22 MS. FANUCCI: Aye.

23 MS. GATELLI: Aye.  
24 MR. COURTRIGHT: Aye.  
25 MR. MCGOFF: Aye. Opposed? The

107

1 ayes have it and so moved.

2 MS. GARVEY: 6-C. READING BY TITLE -  
3 FILE OF COUNCIL NO. 3, 2008 - AN ORDINANCE -  
4 AUTHORIZING THE AUCTION AND SALE OF  
5 CITY-OWNED PROPERTY ACQUIRED PURSUANT TO THE  
6 LACKAWANNA RIVER FLOOD CONTROL PROJECT,  
7 SITUATED AT THE CORNER OF DIAMOND AVENUE AND  
8 WOOD STREET, THE FORMER CORDARO BUILDING AND  
9 RECORDED AT RECORD BOOK 0720- PAGE 325.

10 MR. MCGOFF: You have heard reading  
11 by title of Item 6-C, what is your pleasure?

12 MR. COURTRIGHT: I move that Item 6-C  
13 pass reading by title.

14 MS. FANUCCI: Second.

15 MR. MCGOFF: On the question?

16 MS. EVANS: Yes, I had a concern  
17 initially regarding the auction costs and I  
18 learned that those costs would be passed  
19 along to the purchaser, so the City of  
20 Scranton will not obviously assume the costs  
21 for the auction itself.

22 MR. MCGOFF: Anyone else on 6-C? All  
23 those in favor signify by saying aye.

24 MS. EVANS: Aye.

25 MS. FANUCCI: Aye.

108

1 MS. GATELLI: Aye.

2 MR. COURTRIGHT: Aye.

3 MR. MCGOFF: Aye. Opposed? The  
4 ayes have it and so moved.

5 MS. GARVEY: 6-D. READING BY TITLE -  
6 FILE OF COUNCIL NO. 4, 2008 - AN ORDINANCE -  
7 AMENDING FILE OF THE COUNCIL NO. 86, 1998  
8 ENTITLED AN ORDINANCE "AMENDING FILE OF THE  
9 COUNCIL NO. 148, 1993, ENTITLED "AN  
10 ORDINANCE GOVERNING THE DESIGN,  
11 CONSTRUCTION, ALTERATION, ENLARGEMENT,  
12 REPAIR, DEMOLITION, REMOVAL, CONVERSION, USE  
13 AND MAINTENANCE OF ALL BUILDINGS AND  
14 STRUCTURES KNOWN AS THE BUILDING CODE;  
15 PROVIDING FOR THE ISSUANCE OF PERMITS,  
16 COLLECTION OF FEES, MAKING OF INSPECTION,  
17 PROVIDING PENALTIES FOR THE VIOLATION  
18 THEREOF, ESTABLISHING MINIMUM REQUIREMENTS  
19 FOR BUILDING UNDERWRITER INSPECTORS,  
20 DECLARING AND ESTABLISHING FIRE LIMITS" BY  
21 ADOPTING THE BOCA NATIONAL BUILDING CODE  
22 1993, ALSO REFERRED TO AS THE HOUSING CODE,  
23 TWELFTH EDITION" TO INSERT A NEW SECTION

24 2 (d) AND ADJUSTING ALL LETTERS AND NUMBERS  
25 ACCORDINGLY.

109

1 MR. MCGOFF: You have heard Reading  
2 by Title of Item 6-D, what is your pleasure?

3 MR. COURTRIGHT: I move that 6-D pass  
4 Reading by Title.

5 MS. FANUCCI: Second.

6 MR. MCGOFF: On the question?

7 MS. GATELLI: Yes. I have a  
8 question on this, they are adopting the fire  
9 codes for BOCA and I would just like to have  
10 an insertion, an amendment put in there, on  
11 the second page under (e) it says, "No  
12 certificate of occupancy shall be issued  
13 until a final certificate is issued by the  
14 building underwriter's agency," and I would  
15 like that to also read, "And the Scranton  
16 Fire Department Fire Chief or Fire  
17 Inspection Office."

18 When I had occasion to work in  
19 community development a lot of the  
20 underwriters didn't have fire inspections  
21 and if they did it wasn't as stringent as  
22 the BOCA Code and I know that there were  
23 some places that were inspected that didn't  
24 have the proper amount of ingresses and

25

exits and I just think that the fire

110

1

inspector should also be included when a

2

commercial building is inspected. So, I

3

would like to have that inserted as an

4

amendment into this piece of legislation.

5

MR. MCGOFF: What section was that?

6

MS. GATELLI: It's the second page

7

under (e) where it says, "No certificate of

8

occupancy shall be issued until a final

9

certificate is issued by the building

10

underwriter's agency."

11

I don't think that's sufficient, I

12

think that the fire inspector should also

13

sign off on a certificate of occupancy, and

14

I don't know how we go about putting that

15

amendment in there.

16

MR. MCGOFF: Do we have to have a

17

motion to amend?

18

MR. MINORA: It has to be a motion

19

to amend.

20

MS. GATELLI: I'll make a motion to

21

amend.

22

MR. MINORA: So it's a motion to

23

amendment Section 1 00.

24

MS. GATELLI: File of Council No. 4,

1 MR. MCGOFF: Section 113.2.1 (e).

2 MS. FANUCCI: Second.

3 MR. MCGOFF: To, "No certificate of  
4 occupancy shall be issued until final  
5 certificate is issued by the building  
6 underwriter's agency and --"

7 MS. GATELLI: And the Scranton Fire  
8 Department.

9 MR. MCGOFF: "And the Scranton Fire  
10 Department."

11 MS. GATELLI: Which would be the  
12 chief or the fire inspector, but I think the  
13 fire has to have a say in a certificate of  
14 occupancy only from my having worked there  
15 and I know the ramifications when it's not.

16 MR. MCGOFF: So the motion, the  
17 amendment would read: "No certificate of  
18 occupancy shall be issued until the final  
19 certificate is issued by the building  
20 underwriter's agency and the Scranton Fire  
21 Department.

22 MS. GATELLI: That's my motion, Mrs.  
23 Fanucci seconded it.

24 MS. FANUCCI: I seconded it.

25 MR. MCGOFF: On the question? All

1                   those in favor?

2                   MS. EVANS: Aye.

3                   MS. FANUCCI: Aye.

4                   MS. GATELLI: Aye.

5                   MR. COURTRIGHT: Aye.

6                   MR. MCGOFF: Aye. Opposed? The  
7                   ayes have it and so moved.

8                   MS. GARVEY: SEVENTH ORDER.

9                   MR. MCGOFF: We need to -- we  
10                  actually need to vote on 6-D.

11                  MR. MINORA: You have to vote on "D",  
12                  that was a motion.

13                  MR. MCGOFF: 6-D as amended.

14                  MS. FANUCCI: Right.

15                  MS. GATELLI: I'll make a motion  
16                  that we approve 6-D as amended.

17                  MR. MCGOFF: Do we need to -- yeah,  
18                  we have already read it, so we are now  
19                  voting on 6-D.

20                  MS. GATELLI: As amended.

21                  MR. MCGOFF: As amended. Anyone else  
22                  on the question? All those in favor?

23                  MS. EVANS: Aye.

24                  MS. FANUCCI: Aye.

25                  MS. GATELLI: Aye.

1 MR. COURTRIGHT: Aye.

2 MR. MCGOFF: Aye. Opposed? The  
3 ayes have it and so moved.

4 MS. GARVEY: SEVENTH ORDER. 7-A. FOR  
5 CONSIDERATION BY THE COMMITTEE ON PUBLIC  
6 SAFETY - FOR ADOPTION - RESOLUTION NO. 2,  
7 2008 - APPROVING THE MODIFICATION OF  
8 EXISTING TRAFFIC SIGNALS ON SOUTH MAIN  
9 AVENUE (SR 3013) AND LUZERNE STREET (SR  
10 3014) TRAFFIC SIGNAL PERMIT NO. 6192.

11 MR. MCGOFF: What is the  
12 recommendation of the Chairperson for the  
13 Committee on Public Safety.

14 MR. COURTRIGHT: As Chairperson for  
15 the Committee on Public Safety, I recommend  
16 final passage of Item 7-A.

17 MS. FANUCCI: Second.

18 MR. MCGOFF: On the question? Roll  
19 call, please.

20 MR. COOLICAN: Mrs. Evans.

21 MS. EVANS: Yes.

22 MR. COOLICAN: Mr. Courtright.

23 MR. COURTRIGHT: Yes.

24 MR. COOLICAN: Ms. Fanucci.

25 MS. FANUCCI: Yes.

1 MR. COOLICAN: Ms. Gatelli.

2 MS. GATELLI: Yes.

3 MR. COOLICAN: Mr. McGoff.

4 MR. MCGOFF: Yes. I hereby declare  
5 Item 7-A legally and lawfully adopted.

6 MS. GARVEY: 7-B. FOR CONSIDERATION  
7 BY THE COMMITTEE ON PUBLIC WORKS - FOR  
8 ADOPTION - RESOLUTION NO. 3, 2008 -  
9 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
10 CITY OFFICIALS TO EXECUTE AND ENTER INTO  
11 SUPPLEMENTAL ENGINEERING AGREEMENT NUMBER  
12 041746-B WITH BUCHART-HORN, INC. TO AMEND  
13 PART II OF THE AGREEMENT TO COVER ADDITIONAL  
14 WORK AND SERVICES FOR RIGHT-OF-WAY PLANS AND  
15 FINAL STRUCTURE DESIGN OF THE ROCKWELL  
16 AVENUE BRIDGE PROJECT FOR AN ADDITIONAL COST  
17 OF \$73,404.55.

18 MR. MCGOFF: What is the  
19 recommendation of the Chairperson for the  
20 Committee on Public Works?

21 MS. EVANS: As Chair for the  
22 Committee on Public Works, I recommend final  
23 passage of Item 7-B.

24 MR. COURTRIGHT: Second.

25 MR. MCGOFF: On the question? Roll

1 call, please.

2 MR. COOLICAN: Mrs. Evans.

3 MS. EVANS: Yes.

4 MR. COOLICAN: Mr. Courtright.

5 MR. COURTRIGHT: Yes.

6 MR. COOLICAN: Ms. Fanucci.

7 MS. FANUCCI: Yes.

8 MR. COOLICAN: Ms. Gatelli.

9 MS. GATELLI: Yes.

10 MR. COOLICAN: Mr. McGoff.

11 MR. MCGOFF: Yes. I hereby declare

12 Item 7-B legally and lawfully adopted.

13 MS. GARVEY: 7-C. FOR CONSIDERATION  
14 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
15 FOR ADOPTION - RESOLUTION NO. 4, 2008 -  
16 AMENDING RESOLUTION NO. 185,2007 A  
17 RESOLUTION "AUTHORIZING THE MAYOR AND OTHER  
18 APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
19 APPLY FOR A GRANT FOR HOUSING AND  
20 REDEVELOPMENT ASSISTANCE THROUGH THE  
21 COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF  
22 COMMUNITY AND ECONOMIC DEVELOPMENT (DCED);  
23 ACCEPTING THE GRANT IF THE APPLICATION IS  
24 SUCCESSFUL, AND COORDINATING THE USE OF THE  
25 GRANT FUNDS FOR THE PROJECT TO BE NAMES AS

1 "SKYVIEW PARK APARTMENTS" WITH THE NATIONAL  
2 HOUSING TRUST (NHT)-ENTERPRISE PRESERVATION  
3 CORPORATION" TO INCLUDE THE APPROPRIATE  
4 BLIGHT LANGUAGE REQUIRED BY DCED.

5 MR. MCGOFF: What is the  
6 recommendation of Chairperson for the  
7 Committee on Community Development?

8 MS. FANUCCI: As Chairperson for the  
9 Committee on Community Development, I  
10 recommend final passage of Item 7-C.

11 MR. COURTRIGHT: Second.

12 MR. MCGOFF: On the question? Roll  
13 call, please.

14 MR. COOLICAN: Mrs. Evans.

15 MS. EVANS: Yes.

16 MR. COOLICAN: Mr. Courtright.

17 MR. COURTRIGHT: Yes.

18 MR. COOLICAN: Ms. Fanucci.

19 MS. FANUCCI: Yes.

20 MR. COOLICAN: Ms. Gatelli.

21 MS. GATELLI: Yes.

22 MR. COOLICAN: Mr. McGoff.

23 MR. MCGOFF: Yes. I hereby declare  
24 Item 7-C legally and lawfully adopted.

25 MS. GARVEY: 7-D. FOR CONSIDERATION

1 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
2 RESOLUTION NO. 5, 2008 - ACCEPTING THE GIFT  
3 OF A POLICE VEHICLE, VIN NUMBER  
4 2FPFP71W02X134275 FROM POLICE OFFICER JEFF  
5 GILROY FOR USE IN THE CITY'S FLEET PURSUANT  
6 TO A LEAST AGREEMENT BETWEEN THE CITY AND  
7 OFFICER GILROY.

8 MR. MCGOFF: As Chairperson for the  
9 Committee on Rules, I recommend final  
10 passage of Item 7-D.

11 MR. COURTRIGHT: Second.

12 MR. MCGOFF: On the question?

13 MS. GATELLI: I just have comment on  
14 the question, Officer Gilroy happens to be  
15 the resource officer at West Scranton High  
16 School and he has been bumped out of his job  
17 due to seniority and I haven't met the new  
18 officer yet, but I'd like to say that  
19 Officer Gilroy did a magnificent job at  
20 Scranton High School and we are surely going  
21 to miss him. Thank you.

22 MR. MCGOFF: On the question? Roll  
23 call, please.

24 MR. COOLICAN: Mrs. Evans.

25 MS. EVANS: Yes.

1 MR. COOLICAN: Mr. Courtright.

2 MR. COURTRIGHT: Yes.

3 MR. COOLICAN: Ms. Fanucci.

4 MS. FANUCCI: Yes.

5 MR. COOLICAN: Ms. Gatelli.

6 MS. GATELLI: Yes.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCGOFF: Yes. I hereby declare  
9 Item 7-D legally and lawfully adopted.

10 MS. GARVEY: 7-E. FOR CONSIDERATION  
11 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
12 RESOLUTION NO. 6, 2008 - AUTHORIZING THE  
13 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS  
14 TO EXECUTE AND ENTER INTO A LEASE/POLICY  
15 AGREEMENT WITH OFFICER JEFF GILROY GOVERNING  
16 THE USE OF OFFICER GILROY'S "PRIVATE  
17 CRUISER" AS DEFINED HEREIN.

18 MR. MCGOFF: As Chairperson for the  
19 Committee on Rules, I recommend final  
20 passage on of Item 7-E.

21 MR. COURTRIGHT: Second.

22 MR. MCGOFF: On the question? Roll  
23 call, please.

24 MR. COOLICAN: Mrs. Evans.

25 MS. EVANS: Yes.

1 MR. COOLICAN: Mr. Courtright.

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MR. COURTRIGHT: Yes.

MR. COOLICAN: Ms. Fanucci.

MS. FANUCCI: Yes.

MR. COOLICAN: Ms. Gatelli.

MS. GATELLI: Yes.

MR. COOLICAN: Mr. McGoff.

MR. MCGOFF: Yes. I hereby declare  
Item 7-E legally and lawfully adopted.

EIGHTH ORDER. I would like thank  
everyone for their participation this  
evening and ask for a motion to adjourn.

MR. COURTRIGHT: So moved.

MS. EVANS: Second.

THE COURT: Thank you.

2

3

I hereby certify that the proceedings and

4

evidence are contained fully and accurately in the

5

notes of testimony taken by me at the hearing of the

6

above-captioned matter and that the foregoing is a true

7

and correct transcript of the same to the best of my

8

ability.

9

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11

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CATHENE S. NARDOZZI  
OFFICIAL COURT REPORTER

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